



Human rights and future people — Possibilities of argumentation

Marcus Düwell & Gerhard Bos

To cite this article: Marcus Düwell & Gerhard Bos (2016) Human rights and future people — Possibilities of argumentation, *Journal of Human Rights*, 15:2, 231-250, DOI: [10.1080/14754835.2015.1118341](https://doi.org/10.1080/14754835.2015.1118341)

To link to this article: <http://dx.doi.org/10.1080/14754835.2015.1118341>



Published online: 04 May 2016.



Submit your article to this journal [↗](#)



Article views: 102



View related articles [↗](#)



View Crossmark data [↗](#)

Human rights and future people — Possibilities of argumentation

Marcus Düwell and Gerhard Bos

Utrecht University

ABSTRACT

Questions of sustainability will be of crucial importance for the twenty-first century. But do we have to think about questions of responsibilities regarding future people in terms of human rights? And if duties regarding sustainability fall outside the scope of human rights, what would this imply for the moral and political importance of human rights in general? This article investigates conceptually how we should see the relationship between human rights and long-term global ecological challenges. We will discuss how a human rights approach to questions of sustainability would be different from other approaches and what would be required to see those ecological challenges as human rights questions. We will discuss the possibilities for conceptualizing the relationship between human rights and sustainability. And we will briefly draw some conclusions in terms of topics for further debate.

Introduction

Legal human rights instruments were created after World War II as a response to collective violence against individuals: their liberties, their integrity, and their very lives. Initially, these instruments were meant to protect certain rights of human beings against their infringement by the state or — at least indirectly — by their fellow humans. But since then, human rights have acquired normative priority compared to other regulatory systems in the sense that all normative regulations ought to be compatible with human rights. Politically, there is a kind of agreement about the normative core of human rights protections when it comes to extreme atrocities against human beings (acts of genocide, extreme forms of torture, etc.). In addition, there is now an established corpus of human rights law regarding basic civic liberties, political rights, and social, economic, and cultural rights that, in theory at least, is accepted, though there are significant differences in emphasis with regard to the weight given to various human rights components and to effective measures of enforcement. This does not, however, limit the fundamental claim of human rights to normative priority in international relationships and in the constitution of a national legal order.

Effective measures of human rights protection are *prima facie* dependent on certain conditions: We need to be able to identify manifest human rights violations as well as

perpetrators and victims, whether these be individuals or groups. Implied here, however, is a latent “presentist bias” in the human rights regime that privileges the rights of people in the here and now. Such bias raises, however, the question of how the regulatory force of this regime relates to the long-term effects of our current actions and their possible impact on the rights of people in the future. Do current human rights regulations take account of such long-term effects?

This question is central when it comes to the role of human rights regulation in the context of climate change and other ecological challenges. Of course, there have been some discussions about climate refugees and about whether the inhabitants of small islands very likely to disappear because of climate change have a “right” to live on their home islands. But those are only the already “manifest” cases. Climate change, population growth, and the depletion of natural resources confront us with dilemmas of an entirely different order. These challenges will, as far as we can see at the moment, affect all dimensions of human life: They will determine the places where and the way human beings can or cannot live, the quality of their home climates, the possibilities available for them to realize life goals, their land use, their access to fundamental goods such as water and fresh air, their ability to enjoy aesthetically interesting landscapes, etc. Long-term ecological changes will affect basic interests of human beings and will influence the conditions under which human beings can enjoy rights in the first place. Thus, to be able to enjoy basic liberties and to develop sophisticated plans for our lives, we need certain environmental conditions that enable us to do so; metaphorically speaking, the enjoyment of freedom of speech requires that we have some air to breathe.

The urgency of these ecological challenges is now clearer than it has ever been. Recently the pope, the Chinese president, and the US president have emphasized the importance of taking swift action to protect our natural environment. Recent scientific reports, above all those of the Intergovernmental Panel on Climate Change (IPCC), provide ample evidence that climate change exists and is primarily anthropogenic in origin; scientific research has increasingly convinced us that the effects of climate change will affect human beings much more quickly than many people had expected or at least hoped would be the case. Of course, there are a variety of debates about what the precise consequences of all these changes will be. Unfortunately, these debates do not give us reason to relax but rather supply additional reasons for deep concern. If, despite our certainty that there will be far-reaching ecological changes, the complexity of the ecology does not allow for detailed predictions about such consequences, this creates uncertainties that present severe obstacles to the preparation of effective adaptive measures. If we do not know whether the climate in Europe will significantly warm up or cool down, it is hard to react to these changes with appropriate measures (city planning, heating facilities, etc.).

This means that we are in a situation where our current actions will seriously endanger the possibility of future people to enjoy those goods that are necessary to satisfy basic human interests — of the sort, that is, whose satisfaction we believe is a basic human right. We do not want to discuss the ecological dimension of the question here in detail, but we will work with the assumptions that we must expect extreme ecological changes that are primarily the result of human actions, and that such changes will exert a far-reaching impact on the possibilities of future people to realize interests that they could otherwise realize in the absence of climate change. Furthermore, we assume that these effects will be made manifest some time during the twenty-first century, which means that we must expect that at least some

members of the younger generations of people currently alive will experience the effects of these ecological changes during their lives.

But, one might ask, why should normative responses to these challenges be conceptualized on the basis of human rights commitments? Perhaps the instruments of human rights protection are not the best means to deal with these challenges? Effective responses to our environmental dilemma are perhaps only possible if current human rights instruments and bodies were fundamentally reorganized. So should we, perhaps, think about other normative solutions? We will deal with these questions at length in this article, but, perhaps, we should first establish that, *prima facie*, these questions need asking.

First, global ecological changes are affecting basic interests of human beings and their opportunities to govern central aspects of their lives. At least for a variety of human rights theories, this would affect central aspects of human rights. These changes are (at least to an important extent) the result of human actions and not just natural developments. We have to expect that the vast majority of people in the future will be affected by these changes, and also that they will have a greater impact on the more vulnerable members of humankind, especially individuals born poor in developing countries. Even if we cannot identify individual perpetrators responsible for the suffering caused by ecological change, we can specify that governments and other stakeholders have the duty to take appropriate measures to protect human beings against rights' infringements that occur because of the state of the environment.

Second, we can wonder why human rights should have such a presentist bias. There are various elements within the idea of human rights that are future oriented. Human rights protect the individual's capacity for future-oriented action and the realization of long-term plans. We assume that children have a right to education to ensure that they can enhance their future opportunities; we care about the possibility that entire cultures can perpetuate themselves in the future. We emphasize that individuals should have the right to own private property, which can be interpreted as a requirement for the realization of long-term projects. All these human rights requirements regulate present behavior so that people in the future can have specific chances and opportunities. But why should there be these sorts of human rights regulations if we do not care about the ecological constraints that will determine how people in the future make use of their education or enjoy their culture? Why protect the right to bequeath farmland if we do not protect the ecological conditions sufficient for farming in the first place?

Third, we can wonder why we should restrict the scope of protection that we owe to human beings to those individuals who are living today. This, however, is a serious point of discussion among philosophers. How can we ascribe rights to people who do not exist? But at least we should make a sincere effort to discuss the question. If we see each human being as a being with dignity and rights, if we have reasons to assume that there will be human beings in the future, and if we have to assume that our actions will affect central aspects of their lives, then we will have to show why these considerations are not relevant in terms of the human rights regime.

Finally, it is hard to conceive of an acceptable division of labor if we assume that human rights provide regulations solely for contemporary people, and other legal and political instruments would have to be used to take care of future people. This separation of present and future individuals would be especially questionable if the normative core of both groups were in conflict and if it were allowed that future people's basic

interests could be tampered with simply because they do not yet exist. We can see this problem already via a first conceptual consideration: Human rights entail provisions concerning the liberty of human beings to do things that have severe ecological consequences. Due to human rights regulations, people are entitled to travel, to use energy and other natural resources, to have children, and to engage in other activities that have significant ecological effects. The only way to justify constraints on those liberties within the human rights framework would be to show that their exercise would affect the rights of other human beings. Would we defend the position that human rights pertain only to people living right now? To do so would mean that another regulatory framework would have to regulate questions of long-term responsibilities. Would we then allow this framework to justify restrictions on human rights? If so, then such a divided conception would undermine the normative priority of the human rights regime, which would affect the status of the regime as such.

We are aware that the interpretation of human rights in a long-termist perspective would have serious consequences for the content of human rights as well as for human rights instruments. But before discussing possible consequences, we have to investigate conceptually how we should see the relationship between human rights and long-term global ecological challenges. In the second part of the article, we will discuss how a human rights approach to questions of sustainability would be different from other approaches, and what would be required to see those ecological challenges as human rights questions. In the third part, we will exhaustively discuss the possibilities for conceptualizing the relationship between human rights and sustainability. In the fourth and final part of the article, we will briefly draw some conclusions in terms of topics for further debate.

One further remark will perhaps be helpful: In the context of this article, we will not go into much detail regarding distinctions among different approaches to rights. Of course, one would have to make distinctions with regard to the legal human rights framework and the various moral interpretations of human rights. But our considerations are on a fundamental conceptual level, which will probably be likewise relevant for the moral, political, and legal dimensions of human rights. The same holds for the important distinction between the *will* theory and the *interest* theory of rights. We assume that the interest theory interprets the task of rights as the protection of the possibility of human beings to fulfil basic interests, while the will theory conceives of human rights as protecting the ability of human beings to exercise their will. One would have to delineate this distinction in greater detail, but, for the context of this article, it is sufficient to assume that this distinction may not be all that relevant with regard to future people: We do not know in detail what people will want in the future, and we need not concern ourselves with the various sorts of regulations concerning the appropriate measures to ensure that they can realize their will. Under the will concept of rights, we need only worry that ecological conditions will allow them to live in the manner of their choosing. This requires us to protect those goods that are necessary for them to do so, and those goods will, in general, coincide with those goods they need to fulfil basic interests. So we would assume that the distinction between a will theory and an interest theory of rights is of fundamental importance for debates on rights in general but will probably lead to very similar consequences when it comes to the rights of future people.

Human rights and anthropocentrism

In what follows, we will briefly discuss certain implications, problems, and objections that might ensue when climate change is approached (variously) in terms of human rights.

A first objection may be that the human rights approach is *anthropocentric* and, as such, it can be seen as a part of the problem of climate change rather than a solution for it (see Düwell 2013: 109–124). The charge of anthropocentrism can, however, have a variety of meanings.

First, anthropocentrism can mean that human beings regard themselves as entitled to make *unlimited use of nonhuman nature* as means to achieve human ends. And, indeed, the idea of human rights prescribes only that we respect other human beings and says nothing directly about nonhuman nature. With regard to ecological challenges, this orientation can be seen as problematic, insofar as a liberal view supports a permissive legal regime in the sense that it does not restrict the ends that human beings may strive for as such (it excludes only those ends that would be incompatible with respect for the rights of human beings).

However, to be committed to the idea of human rights is to acknowledge clear limitations on the legitimate uses of resources and the emissions that have the potential to damage the environment. Even the most libertarian interpretation, which would focus only on rights as a means of protecting human beings' negative liberties, would forbid the use of natural resources that directly infringe upon the liberties of others.

We can wonder whether such a clearly anthropocentric principle of nonharm would be sufficient to criticize from a human rights perspective certain situations: In contemporary Beijing, for example, many residents are often severely limited in their liberty to leave their homes for weeks or even months because of the heavy smog caused by cars and factories. If we conclude that future (not yet existing) people have to be seen as rights holders as well, our actions that are legitimated within the human rights regime would have to be restricted even further.

To give just one example in this regard, consider one's use of a specific natural resource for the production of luxury goods that deprives others of that resource as a means necessary for their survival. To the extent that we have to see future people as right holders and, thus, acknowledge that our use of natural resources would affect them in a similar way, an interpretation of negative rights in the sense of a principle of nonharm can be sufficient to justify limitations on the acceptable use of resources.

Those limitations would be even stronger if we interpret human rights as protecting the positive rights of human beings as well. Positive rights would not just hinder human beings from infringing on the exercise of liberties of others; they would also prescribe an obligation to provide support for people in the development or exercise of basic capacities, for example, by ensuring that they receive the necessary education to develop skills that are important to the leading of an autonomous and fulfilling life (on the distinction between negative and positive rights, see Gewirth 1996: 31–70).

Such an interpretation of human rights as including positive rights is clearly supported by the current human rights regime. Applying it to people living in the future would broaden the scope of obligations we have towards them and would further limit the use of resources that we can legitimize under the rubric of the idea of human rights.

But even if we accept that the idea of human rights necessarily implies these kinds of limitations, we can wonder whether the idea of human rights is part of that modern constellation

of normative ideas that are responsible for the dynamics that have resulted in global ecological challenges in the first place. According to a broad consensus, our ecological crisis has resulted from a combination of global affluence, population growth, and the development of technologies that have exponentially increased our consumption of natural resources and our production of greenhouse gas emissions. The underlying dynamic of these potentially catastrophic global developments has not yet been sufficiently addressed by the provisions of the current human rights regime, which does not adequately restrict human behavior to meet the challenges of the ecological situation. In fact, if we see human rights as a concept that entitles human beings to strive for self-fulfillment to the extent of their choosing, we can even regard the idea of human rights as bearing some degree of responsibility for the ecological challenges we now face. But, as indicated above, the kind of self-fulfillment that human beings may legitimately choose under the provisions of the current human rights regime does not imply that individuals may legitimately exercise all kind of liberties in traveling, reproduction, and consumption if the exercise of these rights infringes upon the rights of others.

Anthropocentrism, in a second understanding, may concern the fact that the human rights regime accounts for *only human interests*; animals, plants, specific ecosystems, or nature in a general sense do “not count.” Because of this understanding of anthropocentrism, the literature on environmental ethics, ecological ethics, and nature ethics (or whatever other labels there may be) was long dominated by explicitly anti-anthropocentric approaches, such as deep ecology or those approaches that advocate an ethics of “respect for nature,” “reverence for life,” or the “land ethic.”

We can indeed wonder to what extent such approaches are compatible with human rights. One can say that human rights protect a specific openness to various conceptions of the good, and, for some people, nature, in any of the above-mentioned forms, may demand our respect. Indeed, keeping our distance from nature may be perfectly in line with securing the basic interests of human beings. But it is questionable how one could see nature, the integrity of the ecosystem, the cosmic order, or the like as relevant sources of normativity and at the same time accept the normative priority of human rights. When there is conflict between human rights and nonhuman nature, a human rights approach would demand this conflict be resolved with due respect for human rights.

But that does not imply that we would not have to care about plants and animals. If we understand that we are also natural beings and are dependent on our ecosystem, then respect for human rights would be a strong reason to treat our ecological environment with sufficient care. If, furthermore, we acknowledge that we possess limited knowledge about the ecological effects of our actions, we would then have additional reasons to limit our actions on the basis of the human rights regime.

Moreover, we know that human beings are interested in nature not only as the source of material resources for the fulfillment of their biological needs but they also seek in nature recreation, inspiration, a sense of awe, etc. We should also assume that nature is important for aesthetic needs: The aesthetic experience of nature may be an irreplaceable form of experience.

All these considerations should ideally be discussed in greater detail, but these short remarks already show that, if we assume that the task of the human rights regime is to enable human beings to live autonomous and fulfilling lives, this conception has normative

implications that would entail the protection of nature in various respects. Perhaps our duties to protect nature would be as incumbent upon us as in a “reverence for life” approach. But the difference between these orientations would simply be that the justification of these duties would refer solely to our duties to respect the rights of human beings.

A third meaning of anthropocentrism would be that all the duties we may have must be justified by reference to the human being. Most approaches from the philosophical tradition refer not to human beings as members of a biological species but rather invoke humanity in the sense of those beings who have all developed specific characteristics (capacity for rationality, human agency, personhood). This perspective would not determine from the outset the scope of beings whose rights have to be respected. Additionally, it could be that we have duties with regard to animals to the extent that they are, in a morally relevant sense, similar to us. This perspective, of course, raises questions (which we cannot discuss here in detail) regarding the status of human beings who do not develop these relevant capacities.

In any case, if we have to justify all our duties by reference to humanity in some relevant sense, this would probably force us to include all the considerations mentioned above concerning the interest of human beings to live in a safe and human-friendly environment. Such a justification may also include even more duties. Regardless, this concept of anthropocentrism would certainly not allow the exploitation of nature.

This short discussion does not justify the position that we ought to conceive environmental duties on the basis of the human rights framework. But we hope at least to have shown that an opposition between a bio- or ecocentric approach that cares for nature and an anthropocentric human rights approach that entitles us to exploit nature is fundamentally problematic. If we additionally take into consideration the fact that ecocentric approaches confront us with very high argumentative burdens in justifying the scope of duties and that such approaches force us to abandon the idea that the human rights approach has a normative priority, we seem to have arrived at a point where we should investigate whether we can justify environmental duties within the human rights framework.

Conceptual possibilities

The purpose of this section is to exhaustively identify aspects of human rights that ground long-term environmental responsibilities. To this end, we work with an idealized description of the human rights framework as a legally institutionalized consensus among states that, building on the recognition of human dignity as a foundation of inalienable, equal, and universal rights, requires states to arrange their law and policy so as to secure the life and basic wellbeing of vulnerable human persons. Given this description, we will consider long-term dimensions of the *objects* of human rights, the *rights bearer*, the *normative core* of human rights, and the *addressee* of human rights. We will argue that long-term responsibilities follow from these different considerations.

One way to argue that human rights entail long-term responsibilities is by “greening” them (Knox n.d.; Wolfe 2003). This approach suggests we should recognize certain environmental human rights either directly, say because human beings have a significant need for nature, or indirectly, for example, because objects of human rights have environmental components. In relation to questions of long-term responsibility, two things should be noted for this approach.

First, the direct or indirect environmental components of human rights may not be decisive elements of human rights. They might be considered relative luxury components rather than basic necessities of vital rights. Arguably, the rights to life, health, and security may be prioritized over any rights involving nature, and, despite environmental components of the former rights, these rights may be sufficiently respected even if their environmental components are not secured.

Second, even if direct or indirect environmental rights were relevantly decisive, respecting these may entail merely limited concern for the long term — if entailing such long-term concern at all.

How, then, does the long-term concern for the environment appear within the human rights framework, such that it is a basic necessity? Some objects of human rights concern the long term. We can roughly distinguish *two* ways they do so. In the *first* type, a human right concerns an object that include the human rights — including that same right — of our younger contemporaries or future successors. This conception would constitute a *chain of rights*. The long-term obligation would then be an indirect obligation to more distant future persons, which exists as a direct duty to contemporaries (Passmore 1974: 86ff; Page 2007: 117). An example that might serve here is the right to marry and to have a family. This right might be taken to entitle its holder to the protection of his children's and grandchildren's right to marry and to have families, among their other human rights. Given the environmental needs of these future family members, this might entail our having certain long-term responsibilities, in view of our right to marry and found a family.

An example of the second type would be the right to social security, which entitles an individual to national efforts and international cooperation towards the realization of economic, social, and cultural rights. Rights like these entitle individuals to national and international operations that are not specified in terms of an individual's lifetime but extend beyond it indefinitely — benefiting him and future people — and hence the ensuring of certain short- and long-term environmental conditions is required for the realization of these rights.

Apart from the long-term implications of rights that we have, we must recognize our long-term responsibility relative to *future* people's human rights (Düwell 2014; Beyleveld et al. *in press*). One could argue that we have long-term responsibilities in relation to *any and all* objects of human rights, because we have obligations to ensure the human rights of future people. Such an argument will not be based on strange ideas concerning nonexistent people who purportedly are already claiming rights in the present. The idea, rather, is that we have duties to future persons because as human individuals they will possess human rights. As long as we have reasons to assume that there *will* be future people and that the objects of human rights are still important for them, as long as our actions today have an impact on the objects of these rights, and insofar as we can change our behavior so as to minimize negative and to increase positive impacts, we have duties with regard to the rights of those future people. We have long-term responsibilities to future people, simply because the possibility that their rights will be secured requires that we adopt certain forms of conduct in the here and now.

That future people have rights claims on us has been challenged on grounds of the logical requirements of the rights relation itself. However, it has been argued that there are stable conceptions of duties to future people's rights (Partridge 1981, 1990; Gosseries 2008). It may

not be incoherent to conceive of future people's rights as claims on the present, but this leaves open whether we should accept that they do have such claims.

We will briefly reflect on the normative core of human rights — especially since it suggests an answer as to why future people's basic interests should be secured as a matter of rights. First, we would like to emphasize, however, that, although the subject of human rights is typically conceived of in human rights theory as the competent human adult capable of claiming them, rights are also relevantly attributed to human beings incapable of doing so and to groups as a whole. These two types of attributions are relevant for the question of long-term responsibility, since the underlying logic of making such attributions lends support to the recognition of future people's interests, and especially to the protection of these interests on the grounds that their vulnerability in claiming their interests, as fitting the logic of human rights.

Starting with children's rights, one should note these rights protect children not only in their vulnerability while they are minors, *but also quite specifically in their incapacity to anticipate their future needs and in particular to claim what now needs to be done to secure them as vulnerable future adults*. Of course, children need rights to protect them against neglect and maltreatment while they are young, if only because they cannot resist or claim protection against such actions in ways that adults can. However, children should also be educated, especially in anticipation of their future vulnerabilities as adults.

Although the logic of children's rights may not appear to extend far in terms of long-term responsibility, it makes sense only given the general assumption that we owe it to future adults to anticipate *now*, on their behalf, their future vulnerabilities — especially where doing so is the only way to secure their rights in light of their vulnerabilities as future adults. It would be hard to explain how this principle would apply to children but not to future adults generally. As a relatively straightforward implication, the logic of such rights aims to protect against the neglect, maltreatment, and abuse of our children or any person based on their incapacity to stand for their future environmental needs.

Only as a practical side remark is the rapid evolution of climate change worth mentioning: This implies that far-reaching measures against climate change would be required if we take seriously the future environmental needs of current children, since it is quite likely that many of the grave or even catastrophic results of climate change will become evident during their lives.

The idea of duties to human communities, arguably, makes sense in the context of human rights primarily insofar as an individual's human personhood is interconnected with, if not conditional on, a human community to which that person belongs. In view of this fundamental entwining of self and community, the essential conditions needed to sustain such communities would demand recognition in the field of human rights. In other words, if human rights exist to protect the basics of human personhood, then the rights given to human individuals should encompass the basic needs of their communities.

This is relevant for the question of long-term responsibility, since a community's lifetime is relevantly different, and less determinate, than those of the individuals who now compose it. Moreover, on a relevant level a community is always concerned with securing its identity and its sense of what is good for its future. It could thus be demanded of states, as a matter of human rights, to restrict what makes human communities unstable, particularly when it comes to enabling human personhood for its individual members — in the present *and* future. This does not mean states are authorized to set constraints on human persons on the

basis of whatever community vision is currently prevalent. It merely means that states can demand noninterference and necessary support for the purposes of securing a community's basic needs — in the present and future.

For example, Hiskes (2009) argues that human individuals depend for their identity on groups with an undeniable future orientation — one that concerns the interests of present and future human individuals alike as its members. As any such human group has environmental needs, it is incumbent to protect that which happens to benefit its present members and will benefit its future members. Hence, one should recognize environmental rights that belong to human groups such that both present and future human persons enjoy the protection of these rights as members of that group.

On top of reducing, via the logic of such attributions, any perceived gap between the recognition of human rights-based duties to individuals living now and to future people, one should consider long-term responsibilities in terms of the *normative core and underpinnings* of human rights. In our view, this normative core is essentially the *recognition* of inherent dignity grounding the equal and inalienable rights of all human persons (Düwell 2014). Human dignity demands respect, which in the case of actual, competent adults is a matter of respecting their decisions and basic interests and a matter of respecting their ability to decide for themselves. Respect for the latter ability in future or (partially) incompetent adults requires something different from respect for their choices — especially when they do not yet exist or have not yet (or have not fully) mastered the ability to choose. Respect for the dignity of the latter group of human persons may first and foremost be a matter of undermining neither their ability to choose nor the possibility that they receive what they would be entitled to claim, and of anticipating and protecting their interests where they are incompetent to voice them at present.

The recognition that human dignity grounds human rights is made explicit in several covenants, which all seem to recognize the coexistence of dignity and rights in the Universal Declaration of Human Rights (UDHR) (United Nations 1948). In view of this normative core, we should attribute dignity as a ground of rights to any person — present and future.

One might be tempted to conclude from this insight that we should attribute human rights to future persons as well. However, we find arguments in the literature that might make doing so problematic. It is sometimes emphasized that human rights are a modern institution of international law that has been justified politically and pragmatically, which may or may not be consistent with certain forms of metaphysical accounts regarding inherent human dignity or natural rights (Beitz 2003, 2009). An account of human rights would be metaphysical if it accounted for human rights via a moral account of dignity and rights that human beings have as such. A pragmatic account, by contrast, would imply no such metaphysical account is needed and would claim that human rights are a modern institution that exists and is justified by international agreement, say for the purposes of freedom, justice, and peace. Such a pragmatic account seems to imply that human rights belong to human persons only if they live under the jurisdiction of human rights institutions. As such, a pragmatic account of human rights may be skeptical of the view that future persons have human rights.

Here, we would emphasize two points. First, “metaphysical accounts” may support or even demand a quite pragmatic attitude to governance — be it always as an implication of morality insofar as it concerns society and law, adopted in accordance with moral principles. Here we draw attention to the Kantian idea that part of an individual's moral duty is to enter

the condition of a state that serves to hinder hindrances of the freedom of the individuals it governs (Hodgson 2010).

This Kantian idea has two stages: The first relies directly on a moral account, while the second represents a pragmatic scenario. During the first stage, individuals are bound by the principle of humanity that regards it as a moral duty to always take humanity in oneself and others as an end. Under real-life conditions where individuals live together, this principle entails, with regard to their coexistence, natural rights to freedom — which requires noninterference by others. During the second stage, as the only means to realize one's right to freedom in accordance with the principle of humanity, individuals should recognize the authority of a state. That is, the state in the form of adequate legal and political means to hinder hindrances that individuals pose to one another's freedom; this means that they themselves respect the dignity of others. Rights, insofar as they are conceived as such means, are a political and pragmatic issue, in the sense that they depend for their existence and adequacy on internal legal and political constraints and operations as well as exert real-life effects in society. However, they should be realized and be adequate in view of a quite definite purpose that is set by morality: They are, to that extent, morally conditioned.

The idea of an international legal order may find support, in a similar way, as a further development of the individual's obligation to accept institutions that protect the freedom of individuals against attempts by others to take it away — now not only on a national but an international level. Individuals, in the context of a national legal order, would need their particular state to accept the authority of an international community that directs its members to fulfill their task, that is, to take adequate measures that hinder hindrances that individuals pose to one another's freedom, measures that accord with the dignity of those affected (Pogge 2005, 2007). This is a moral need. The existence and adequacy of the means adopted by an international community to satisfy this end depend on the circumstances at hand. However, these means are put in place and are sustained for a moral reason. In short, they must protect the individual's moral right to freedom by means that do not undermine a state's legitimate authority and that accord with the dignity of those affected by these means.

Second, regardless of whether human rights require a metaphysical account or merely a pragmatic one, both accounts must accept that human rights are the legal recognition of the *principle* that human beings have inherent dignity, which grounds rights that are equal, inalienable, and universal. This has several relevant implications for the question of long-term responsibility. It should be noted this principle accepts *inherent* dignity as the foundation of human beings' rights. Hence, it would object to making future people's rights conditional on issues related to their current nonexistence. In the context of human rights, one cannot deny the idea that future people will have dignity, which will ground their rights. One needs to respond properly to this idea — even if one thinks the notion of “human rights” should be restricted to the modern international institutions that exist as a matter of international agreement. If we deny human rights to future people, we have to explain how doing so does not compromise the future of our human rights institutions but rather is consistent with these institutions' commitment to inherent dignity and rights — which entails, it seems, that future people will have dignity that is grounding their rights.

Furthermore, one may question whether the metaphysical justification of human rights in fact has any significant bearing on the issue of future people's protection under human rights — whether, in other words, the application of human rights to future people depends on a metaphysical understanding of those rights. We submit that the

metaphysical justification of human rights does not have a decisive influence on whether or not we attribute human rights to future people.

As a first step to seeing this, one should distinguish two ways in which human rights can be universal. First, human rights may be universal in a metaphysical sense, such that a metaphysical account of the human being recognizes the equal, inalienable rights of each individual human being. Second, human rights may be attributed on universal grounds, such that given certain legal institutions, these rights are, within their jurisdiction, attributed to human individuals without further qualification. The latter attribution may be justified by the former but may also be the result of political agreement. A metaphysical account of human rights is likely to entail both forms of universality. A pragmatic account would need to entail the latter if it is to be true to commitments about human dignity and human rights expressed in the UDHR and related covenants but may deny the relevance of the former in an account of human rights. We would claim, however, that as long as we consider policy and law from the viewpoint of human rights institutions, we cannot deny human rights to future people. Hence, the distinction between metaphysical and pragmatic accounts does not really materialize in the context of obligations to future persons, in the sense of excluding future people from protection under human rights institutions.

To be fully explicit on this issue, let us point out the following. Human rights institutions may be replaced in the future through the emergence of a new legal international order, but even this possibility, for three reasons, does not undermine the argument that under current institutions we are to apply human rights to future people. First, the UDHR explicitly claims in Articles 1 and 2 that human rights should be recognized for all human persons, without discrimination (United Nations 1948).

Second, no matter how contingent human rights institutions may turn out to be, this does not justify denying respect to future people on the ground that they may not have human rights since human rights institutions may have vanished by the time they come to exist. On the contrary, we must act on the assumption that the jurisdiction of human rights is open to the future, in the sense of determining itself for the future by institutions committed to the idea that the dignity and rights of its future subjects should be respected.

Third, an eventual future collapse of human rights institutions is in principle compatible with a continued (and morally required) legal recognition that the individual's inherent dignity is the foundation of the equal and inalienable rights of all human beings. In the end, such legal recognition is all that matters for the question of long-term responsibility.

It is perhaps useful to reflect on how this normative core of human rights can have a substantive expression in international law in a way that is flexible enough to protect the potentially different needs that present and future people will have as a result of the changing environmental conditions of their existence. Alan Gewirth has argued that human persons are, as agents, entitled to freedom and well-being (Gewirth 1978, 2000; Beyleveld and Bos 2009). Their rights, and what they have a right to, follow from the generic conditions of agency, that is, their behaving voluntarily and purposively. As such these rights are *generic* rights that every individual agent possesses. This logic recognizes and prioritizes generic rights on the basis of their indispensability for freedom and well-being, starting with basic rights, then nonsubtractive rights, then additive rights.

What agents need for their generic rights to be respected may differ between persons and between contexts, both in substantive and institutional terms. However, the Gewirthian principle of the generic rights of human agents serves as a solid anchoring point to identify

and compare the potentially different basic needs of spatiotemporally distinct agents. Given that there are unknowns and uncertainties about the future, we may not exactly know what future people will need substantially and institutionally to have their freedom and well-being secured; however, we do know that we may not prioritize what we need for agency now over what they will need for it (Beyleveld in press).

Thus far, we have argued that human rights have objects with long-term dimensions, that human rights are attributed to subjects in a sense that suggests we should protect future persons in their vulnerability, and that human rights have a normative core that makes it hard to deny legal recognition of duties to future people. On top of that, it should be emphasized that human rights address *states*, based on principled concern for human persons as such, and ask that they bring their laws and policies into accord with human rights.

A state has a future beyond the individuals that currently compose and authorize it. The state *has a responsibility to all its subjects, present and future, to have its laws and policies be consistent with their human rights*. It has to devise laws and policies to ensure the security of vulnerable human beings within its jurisdiction, always respecting the human rights of the people affected by its actions. In other words, the state cannot consistently devise laws or policies on the grounds of its having positive effects for one group of human persons at the expense of the human rights of others — be they within or outside its jurisdiction.

Unlike spatially distinct jurisdictions, there is numerical identity between temporally indexed jurisdictions if and insofar as they fall under the same authority. Of course, national borders may change and national authorities may unite. But these situations leave untouched the state's responsibility to have laws and policies accord with the human rights of all individuals living within its temporally extended jurisdiction and to always respect the rights of any human person affected by its actions — within or outside its jurisdiction.

Of course, an argument is to be made about spatiotemporal restrictions on the responsibility of an embodied government at a given period in time. On the one hand, it appears that the task of an embodied government of the future will be to devise policies and laws that *actually* respect the rights of its (contemporary) citizens. On the other hand, the government of the present seems under an obligation to pass on or even increase, let alone not undermine, the possibility that governments of the future can do so.

As a final point, let us look at what respect for human rights requires, given that lives of individual human persons partially overlap in time (Howarth 1992). Every couple of seconds new human persons are being born. Arguably, then, a decisive question regarding human rights-based, long-term responsibility concerns what respecting *human rights* would require in this ongoing social complex of partially overlapping lives.

Basically, one could say that each individual is entitled to his state's *respecting his status as a holder of human rights* — now and with regard to his future (Bos in press). Doing so requires the state to respect the future securability of the rights he has as a matter of respect for him as human person. That is to say, these rights should be securable to him as a human person without qualification, that is, not as a human being *born earlier than any of his currently nonexistent contemporaries in the future*. For that to be the case, these rights should be securable in his future in this way not only for him but for all his human counterparts in the present and future. Hence, the state can

only respect his status via policies and laws that respect the securability of human rights for him and all his contemporaries — present *and future*. From this, it follows inductively that the state has to extend the same respect for his future contemporaries' future contemporaries. And so on ad infinitum.

In sum, the human rights approach is — under conditions of temporal overlap — wedded to the idea of a *chain of status* between present and future human beings. This argument appears to be similar to the chain of rights argument mentioned earlier but is only insofar as it builds on the idea of partially overlapping lives. By contrast to the chain of rights, the chain of status argument spells out the long-term component of conditions for respecting an individual's status as a bearer of human rights and not as a matter of links between specific rights of present and future people.

In closing this section, it should be emphasized that the general ideas of these different approaches to long-term responsibilities in the context of human rights are, in principle, compatible. In our understanding, they all have to gravitate to the normative core of human rights, the legal recognition of dignity as the ground of rights-based obligations regarding future people. Nevertheless, we put them forward here as relatively independent ideas to be assessed for their merits individually.

Future discussion on human rights and the future

In the previous sections, we tried to demonstrate that we should see our responsibilities to protect the natural environment and its resources and to reduce climate change as implications of those obligations that we have as a result of our commitment to human rights. On the basis of this line of argument, we would claim that our commitment to the principles of human rights requires that we see future people as human beings who will have a right to live under conditions that enable them to lead autonomous lives and to enjoy those opportunities and goods that each human being should have a right to, according to the principles of human rights. To be clear about the status of this claim, we do not assume that this conviction is already established within the current legal human rights regime, but neither do we assume that this is just an ideal based on some kind of green political belief. The claim, rather, is that it is logically necessary to include future people under the protections of the current human rights regime, based on an understanding of the logical implications of those requirements that have been agreed upon up to now in that regime. This general insight into the intergenerational dimension of human rights raises, however, a variety of follow-up questions that will be relevant for future debate. We want here to briefly sketch some of them, while acknowledging that our list of questions is neither complete nor comprehensive.

To begin with, we see it as advantageous that a single regulatory regime regulates our basic political duties, which means that the same principles govern the duties we have both to our contemporaries and to future people. We are, thus, still able to accept the normative priority of human rights duties and to understand, in a transparent way, why we ought to restrict the exercise of our liberties because we owe it to future people to do so. In pragmatic terms, however, such self-imposed restrictions would result in severe changes to existing human rights instruments and institutions. We will now briefly mention a list of topics that would have to be discussed if we would move towards a human rights regime that takes seriously its intergenerational responsibilities.

How to protect the rights of future people?

The rights of future people are ultimately the rights of individuals, as are all human rights. But there are some structural differences, when compared to the rights of contemporaries. First, only some rights will be relevant for our intergenerational relationship. How future people will deal with their marriage policies, how they deal with homosexuality, whether they are interested in religion, single-malt whiskey, and mobility is something we do not have to regulate: They will have to and hopefully will be able to regulate those matters themselves. For us, it is only relevant that our actions today are destroying natural resources and landscapes, are changing the climate, are reducing biodiversity and are increasing the world population to an as-yet-unknown extent. These changes all have the possibility of infringing upon the “generic rights” of future people, those rights, that is, that are necessary for the enjoyment of other human rights, nearly independent of what these rights may be. So, independent of how future people will think about gay marriage and religion and other important aspects of their lives, they will need a safe environment and fresh air in order to realize whatever life projects they want to realize.

Second, the protection of future people’s rights, therefore, takes a different form than the way we think about our (living) contemporaries’ rights, as there are no individuals (yet) who may have any rights claims. But if protecting rights means protecting the generic goods required for the exercise of those rights, we have to protect the rights of future people by protecting those (collective) goods that are necessary for future people in general to be able to exercise rights. This does not mean that we are talking of collective rights: Rather, we are talking about rights to goods that are important for all individuals, no matter who they may be. But this means that these rights cannot be protected through a court of human rights to which (nonexisting) individuals as individuals can appeal. Thus, human rights instruments must be severely reorganized if they are to deal with these potential rights violations.

A third complication has to do with difficulties of prediction. Even if we know beyond doubt that climate change is happening, we do not know the details of future developments or what impact specific measures will have in the long run. It is, therefore, difficult to predict the consequences of climate change and other forms of ecological destruction for rights’ protection. This means that there must be an assessment of the possible impact that our policies may have on the rights of future people (see the article of Klaus Steigleder in this volume). And this, furthermore, requires precautionary considerations in some form.

Which institutions?

Human rights protection is realized through the work of the institutions of the United Nations or the various regional institutions (e.g., European Court of Human Rights, Inter-American Commission on Human Rights) that have been installed for this purpose. The design of these institutions has been based on assumptions about the goods that have to be protected, the potential threats to these goods, and ideas about what forms effective protection would take. If one assumes that individual liberties are to be protected against a state that may threaten them, it makes sense to have a court outside this state to which individuals may appeal if the state does not allow them to exercise

their rights. If, however, human rights are not only threatened in the way that specific individuals are hindered from exercising specific rights in specific states but the exercise of rights forms problems for future people in general, then the institutions tasked with effectively ensuring such protection must be differently configured. It does not make much sense to think of courts to which (not yet existing) individuals may appeal; it would be much more relevant to think about institutions embedded within political processes. Since protection of the opportunities for future people to live autonomous lives will affect all dimensions of contemporary politics, it hardly makes sense to assign this task to one specific institution. Rather, we would have to think about institutions that would be tasked with reflecting on the consequences of taking the rights of future people seriously and that would be able to ensure through its enforcement mechanisms that these rights are sufficiently taken into account within the political process. This would require global institutions: a High Commissioner on Future Generations, for example. On a national level, one can think about models such as having an ombudsman for future generations, as is already the case in Hungary and under discussion in other nations. These national institutions' task might be, for example, to ensure that the consequences of specific political measures for future people are made explicit and are discussed in parliament, but we might equally imagine the creation of institutions to enforce minimal standards of protection, similar to the task of national banks in ensuring currency stability (see [Fulop in press](#)). We do not want to give an outline of any specific institutional structure here. Our central point is that if we indeed must extend human rights protection to future people, then doing so would require a quite consequential reconsideration of the institutions that can appropriately specify and enforce human rights protection.

Human rights and democracy

Legal human rights are the result of political decision making that in democratic countries is legitimized within a democratic process. But, at the same time, the respect for human beings' equal rights is what makes it intelligible that we have reasons to organize political decision making in a democratic form in the first place. Only if we think that people ought to be entitled to govern central aspects of their common life themselves do we have reasons to think that we ought to install a democratic form of governance. And if we think that all human beings should have this right, we have reasons to think that future people should enjoy this right as well. If we have reasons to assume that the life conditions of future people are endangered to the extent that a meaningful form of self-governance may no longer be possible, we have to take measures to prevent this possibility and to restrict the exercise of our liberties. If this consideration is right, the same reasons underlying our assumption that each of us has a right to govern central aspects of our own lives would have to apply to future people and would oblige us to establish sustainable policies.

An additional consideration would be that we always have to think about the political order as being future oriented. Among the central features of a political order is that it is established to make possible the realization of long-term projects and life plans. Of course, any concrete political order can change, states can be replaced by new states, etc. Even so, political orders are always established with an eye to the future, which implies the duty to ensure that political action is possible in the future. This does not imply that we have to

prescribe to future people the political order through which they govern their common concerns. But we should not fundamentally restrict their possibilities of realizing their own life plans.

To think about duties towards future people in terms of rights would imply that these duties belong to the sphere of those norms that are constitutive for the political order and not just the result of contingent political decisions. There may be fundamental concerns that this will be accompanied with a restriction of the space for democratic decision making. Nowadays many people have the impression that the space of decision making in the world's democracies is increasingly shrinking: There are already enormous side constraints in a globalized world whose politics are strongly influenced by multinational companies. To see the rights of future generations as a further side constraint may give rise to the question of what space would remain for effective political decision making. This concern is certainly justified. But it is no reason to deny our duties towards future people. Democratic self-governance is always only possible within certain restrictions, and our current side constraints are consequences of the changes in our lives during the last centuries. We have developed technologies that make our own lives easier but that have side effects for future people; this is a reality we have to deal with. If we establish new technology, we should take into account that those technologies do not just emancipate human beings from natural forces but at the same time create new constraints.

Over the long run, it is quite likely that we can fulfill our duties towards future people and maintain the self-governance of current people at the same time only if we develop new forms of governance: stronger international and global institutions that can deal effectively with questions of sustainability but at the same time are accountable towards democratic polities. To take such a step on the supranational level may be a necessary consequence of our duties regarding future people.

How much limitation on the liberties of contemporaries is acceptable?

A central task for future discussions will be to develop criteria and standards that allow for processes of weighing the duties regarding future people against duties we have towards our contemporaries. Of course, the relevant interests will not always conflict. The development of environmentally cleaner cars, for example, will have advantages both for current and future people. Another example could be global population growth, one of humanity's biggest future challenges. Probably the most promising strategy to meet this challenge is the enhancement of the education of women, particularly in the developing world. Increased availability of contraceptive products and knowledge about medical circumstances, as well as changes in social conditions that make people less dependent on children for their social security in old age, are measures that address different challenges at the same time. One problem, however, could be that effective implementation of these long-term strategies would happen too slowly to effect a necessary reduction in population growth in the near future.

And in any case, these measures alone will not suffice. Unavoidably, the liberties of contemporary people will have to be reduced. This may be acceptable if it comes to the reduction of so-called luxury emissions in the rich countries. But we cannot be certain that this will suffice as well. Emerging conflicts will quite possibly be much more

radical and affect human beings' basic interests. Dealing with such conflicts presupposes instruments that probably go beyond those instruments available within the human rights regime at the moment. It requires that we set priorities within human rights. If we cannot distinguish among human rights in terms of importance and urgency, it will hardly be possible to develop criteria for weighing the necessity and merit of political processes and actions. This does not mean that there should be a list expressing a clear hierarchy of individual rights (which would undermine the plausibility of the entire framework), but it must be possible to justify principles that guide the weighing process. Besides that, it will be necessary to find criteria to deal with conflicts between the rights of contemporaries and those of future people. And we will have to deal in particular with conflicts where we know the interests and wishes of our contemporaries even as we have to deal with uncertainties about the effects our actions will have on the lives of future people. Even if we know a lot about the effects of climate change, it is unavoidable that we will have to deal with risks and uncertainties concerning long-term effects; we may reduce these uncertainties, but we will not be able to avoid them. That means most assumptions about our duties regarding future people will be to some extent based on precautionary reasoning.

If we understand that there will be conflicts — perhaps sometimes tragic — between the rights and interests of contemporary and future people, we may have to develop strategies and institutions that help avoid or at least reduce these conflicts. If we take human rights seriously and if we see that our actions have an enormous potential to result in tragic conflicts concerning the respecting of human rights, we then have a duty to strive to modify our actions so that it is as unlikely as possible that those conflicts actually occur.

Looking forward

One may become desperate about the whole endeavor of thinking about the human rights of future people if one sees this list of questions that has to be answered — and this list is by no means complete. But we have created a complicated world. It is difficult to regulate our intergenerational duties independent of the regulatory framework that has been chosen to govern our actions. The current human rights regime was developed in the middle of the twentieth century to answer the challenges of that time. The question today is whether our current human rights regime can deal with the challenges of the twenty-first century. The challenge of long-term responsibility is probably the most pressing of our time.

We should not get desperate, but we should see our situation as a reason to start an interdisciplinary academic debate about these questions. At the same time, political debates about long-term perspectives are necessary. But, first and foremost, it is important to understand our duties towards the future not as a matter of biology, ecology, or technology: This is not a question we can delegate to engineers. We should rather see it as a question for the social sciences and humanities. We will never be able to develop a sustainable politics simply by developing more green technologies, though of course we need them. But first and foremost we must question how we organize our institutions, how we think about mobility, reproduction, freedom of choice, and the like. Sustainability is about how we want to live our lives and what moral commitments we

have. These are questions that we cannot delegate to technocrats or engineers. These are questions we cannot escape.

Funding

This article was written within the context of the project “European Network Rights to a Green Future” (financed by the European Science Foundation) and the project “Human Dignity as a Foundation of Human Rights?” (funded by the Dutch Research Council).

Notes on contributors

Marcus Düwell is Professor of Philosophical Ethics and Director of the Ethics Institute at Utrecht University. His research is focused on questions of moral justification, human dignity, human practical self-understanding, bioethics, and the ethics of climate change. He is Co-Editor of the *Cambridge Handbook on Human Dignity*, and of *Human Rights and Sustainability: Moral Responsibilities for the Future*. *Gerhard Bos* is a Postdoctoral Researcher at the Ethics Institute at Utrecht University. Currently, his research involves looking at the conceptual underpinnings of human rights and the implications for long-term responsibilities. He coordinated the ESF Research Networking Programme “Rights to a Green Future” (2011–2015). He is currently co-editing a number of books, including *Human Rights and Sustainability: Moral Responsibilities for the Future*.

References

- BEITZ, Charles. (2003) What human rights mean. *Daedalus*, 132(1), 36–46.
- BEITZ, Charles R. (2009) *The Idea of Human Rights* (Oxford: Oxford University Press).
- BEYLEVELD, Deryck. (in press) The duties we have to future generations: A Gewirthian approach. In *Human Rights and Sustainability*, Gerhard Bos and Marcus Düwell (eds.) (London: Routledge).
- BEYLEVELD, Deryck, and BOS, Gerhard. (2009) The foundational role of the principle of instrumental reason in Gewirth’s argument for the principle of generic consistency: A response to Andrew Chitty. *Kings College Law Journal*, 20(1), 1–20.
- BEYLEVELD, Deryck, DÜWELL, Marcus, and SPAHN Andreas. (2015) Why and how should we represent future generations in policy making? *Jurisprudence*, 6(3), 549–566.
- BOS, Gerhard. (in press) A chain of status. In *Human Rights and Sustainability: Moral Responsibilities for the Future*, Gerhard Bos and Marcus Düwell (eds.) (London: Routledge).
- DÜWELL, Marcus. (2013) *Bioethics: Methods, Theories, Domains* (London: Routledge).
- DÜWELL, Marcus. (2014) Human dignity and future generations. In *Cambridge Handbook on Human Dignity*, Marcus Düwell, Jens Braarvig, Roger Brownsword, and Dietmar Mieth (eds.) (Cambridge: Cambridge University Press).
- FULOP, Sandor. (in press) The institutional representation of future generations. In *Human Rights and Sustainability: Moral Responsibilities for the Future*, Gerhard Bos and Marcus Düwell (eds.) (Routledge).
- GEWIRTH, Alan. (1978) *Reason and Morality* (Chicago: University of Chicago Press).
- GEWIRTH, Alan. (1996) *The Community of Rights* (Chicago: University of Chicago Press).
- GEWIRTH, Alan. (2000) The justificatory argument for human rights. In *Ethics: Classical Western Texts in Feminist and Multicultural Perspectives*, James P. Sterba (ed.) (New York: Oxford University Press).
- GOSSERIES, Axel. (2008) On future generations’ future rights. *Journal of Political Philosophy*, 16(4), 446–474. doi: 10.1111/j.1467-9760.2008.00323.x.
- HISKES, Richard P. (2009) *The Human Right to a Green Future: Environmental Rights and Intergenerational Justice* (Cambridge: Cambridge University Press).
- HODGSON, Louis-Philippe. (2010) Kant on the right to freedom: A defense. *Ethics*, 120(4), 791–819.

- HOWARTH, Richard B. (1992) Intergenerational justice and the chain of obligation. *Environmental Values*, 1(2), 133–140.
- KNOX, John. (n.d.) *Mapping Report – 2014: United Nations Mandate on Human Rights and the Environment*. [Online]. Available: <http://srenvironment.org/mapping-report-2014-2/> [29 July 2015].
- PAGE, Edward A. (2007) *Climate Change, Justice and Future Generations* (Cheltenham, UK: Edward Elgar Publishing).
- PARTRIDGE, Ernest. (1981) *Responsibilities to Future Generations: Environmental Ethics* (Buffalo, NY: Prometheus Books).
- PARTRIDGE, Ernest. (1990) On the rights of future generations. In *Upstream/Downstream: Issues in Environmental Ethics*, Donald Scherer (ed.) (Philadelphia: Temple University).
- PASSMORE, John A. (1974) *Man's Responsibility for Nature: Ecological Problems and Western Traditions* (New York: Scribner).
- POGGE, Thomas. (2005) Severe poverty as a violation of negative duties. *Ethics & International Affairs*, 19(1), 55–83.
- POGGE, Thomas. (2007) Severe poverty as a human rights violation. In *Freedom from Poverty as a Human Right: Who Owes what to the Very Poor?* Thomas Pogge (ed.) (Oxford: Oxford University Press).
- STEIGLEDER, Klaus. (2016) Climate risks, climate economics, and the foundations of rights-based risk ethics. *Journal of Human Rights*, 15(2), 251–271.
- UNITED NATIONS. (1948) *Universal Declaration of Human Rights*. [Online]. Available: <http://www.un.org/en/universal-declaration-human-rights/> [27 January 2016].
- WOLFE, Karrie. (2003) Greening the international human rights sphere-environmental rights and the draft declaration of principles on human rights and the environment. *Appeal: Review of Current Law and Law Reform*, 9(1), 45–58.