

## **Righting climate wrongs together: Green citizenship and climate rights**

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### **Abstract**

One suggested response to the climate crisis is the implementation of a right against climate change as a human right, alongside other rights such as the right to life. There is debate over whether this is desirable from normative/ethical and practical/policy points of view, which can be condensed into two questions; (1) Are climate rights normatively/philosophically justifiable, and (2) Are climate rights workable in practice, and how might they be implemented? This article attempts to answer questions (1) and (2) by bringing together human rights theory and environmental political theory, using a conceptualisation of green citizenship building on the work of Hannah Arendt and John Barry.

Question (1) is answered by the argument that climate stability is a prerequisite of all other human rights. The non-identity and correlative duty challenges to climate rights are also answered here. Question (2), which takes up the bulk of the paper, is addressed by the argument that the practical issues faced by the implementation of climate rights e.g., the structural/systemic nature of climate injustices, can be overcome by implementing climate rights as a conception of active 'green citizenship' - climate rights could be characterised not as something to be enforced or distributed, but as an entitlement or claim for opportunities to participate in democratic practices of sustainability and cosmopolitan green citizenship. The article concludes that conceptions of climate rights may benefit from a turn to green citizenship.

## **1. Introduction**

The impact of anthropogenic climate change is an indisputable fact. We are vastly exceeding the environmental boundaries of the planet and coming very close to irreparably destroying our ecosystem (Rockstrom et al., 2009; Steffen et al., 2011). The spectre of climate change has even forced some island nations to start planning for the possibility that their land will become inundated by the sea, due to rising sea levels caused by global warming (Tuana, 2011). Climate change has been driven in large part by global economic growth (Jackson, 2017).

In this article, I will argue that climate rights are normatively desirable as a discrete right and will benefit from synergising with discourses in green citizenship. I will begin my argument by making a case for the normative desirability of climate rights, as climate change threatens basic rights and all other rights. I will then discuss and dismiss some normative objections to climate rights. I will conclude by discussing practical obstacles to the implementation of climate rights, and how green citizenship's discourses of political action and cosmopolitan concern may be useful for this purpose.

Before I begin, I will define some key concepts relevant to this article. Where I refer to 'climate rights', it will refer to a right against climate change, primarily from a human rights standpoint. Human rights in turn can be defined as unalienable rights that all humans have by virtue of their humanity, although human rights do not always trump all other considerations (Donnelly, 2008).

## 2. Why climate rights? A normative foundation

In this section, I will argue that a right against climate change is normatively desirable. Firstly, unchecked anthropogenic climate change will almost certainly eventually violate basic rights, such as the right to subsistence, that is instrumental to the enjoyment of all other human rights. If human rights are morally important, it then follows that we have a normative duty to protect these rights by implementing a right against climate change.

I will be taking a broadly interests-based view of rights, which states that all humans have, to a certain extent an interest in a bundle of rights, vs. will theories of rights that axiomatize the sovereignty of the self (Duwell and Bos, 2018). This approach allows me to be more precise in making assumptions in the abstract. One can easily intuitively assume that every individual has an interest in a bundle of basic rights such as wellbeing and life, whereas it is much more difficult to make assumptions as to how an individual might choose to govern their life.

I will also be taking an anthropocentric perspective on climate rights, as (1) it is easier to make assumptions about human interests as outlined above, (2) appending normative value to nature is difficult due to an inability to intuit individual valuations of nature (Duwell and Bos, 2018), and (3) anthropocentric concerns drive much of the current discourse of climate justice and policymaking (Dietzel, 2019) and are therefore better analysed through an anthropocentric lens.

### 2.1 How does climate change violate human rights?

Unchecked climate change has the potential to negatively affect human interests, including basic rights that are vital to life, such as rights to subsistence and physical security (Kiper, 2011; Shue, 1996). This point is forcefully argued by Bell (2011), Caney (2016), Dietzel (2019) and Duwell & Bos (2018) inter alia, with reference to many of the empirical points made in the introduction. While this in itself might justify a right to climate change, I argue that this justification can be further strengthened by recognising the instrumentality of basic rights to all human rights.

Let us say that there is a man called Imran, living on an island nation called Singaland. Let us assume that Singaland is a liberal democracy, where Imran is protected by both civil and political rights, e.g. freedom of speech and equal voting rights, and basic rights<sup>1</sup>, such as a right to subsistence, health, life and physical security. Let us also say that Singaland is at risk of being totally flooded in the next century if sea levels rise due to climate change and is currently subject to climate change-induced weather patterns that bring destruction to

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<sup>1</sup> I borrow here from Bell (2011) and Shue (1996).

Singaland. If Imran's access to basic rights is curtailed by these climate-change induced disasters, it follows that his basic rights have been violated by climate change – this is basically the point made by Bell (2011) *inter alia*. However, it is also important to recognise that without these basic rights, it would be difficult for him to exercise other rights. To put it bluntly, it is unlikely that Imran will have the time or energy to stand for election to the Singaland parliament, or vote, if he is malnourished and without shelter because of a natural disaster.

To intuitively demonstrate the instrumental nature of basic rights to other human rights in the abstract, I will now turn to Arendt's (1998) hierarchical typology of human activity in her conception of the good or active life, or *vita activa*. Labour, or those activities that are performed in the private sphere to meet subsistence needs and represent a state of being restrained by having to meet these natural requirements, is at the bottom of Arendt's trilevel hierarchy. For Imran to reach the highest point of the *vita activa*, called Work, he must be participating in legacy-building political action in concert with other humans e.g., participating in the political process of Singaland. Imran is unable to progress to Work, as he is 'stuck' in Labour. While Arendt's *vita activa* is difficult to test empirically (Voice, 2013), I argue that it has value here as it makes clear the restricting nature of being 'stuck' in a state of constant struggle without access to basic needs, and therefore unable to participate in activity beyond the 'animal' (Arendt, 1958) state of Labour. I hope the instrumentality of basic rights to all other rights is made clearer by this example, even if it is abstract.

I have outlined in my hypothetical here that climate change can violate human rights. This scenario, while hypothetical, is not unrealistic. For example, the small island nation of the Maldives could face annual island-wide flooding in the future, or indeed in our lifetime if current climate change trends continue, wreaking economic and social havoc on those living there and leaving these people without subsistence and unable to exercise political rights—though this problem is not unique to the Maldives (Tuana, 2011). If all pre-existing human rights will eventually be violated by unchecked climate change, it then follows that climate change is the 'ultimate' human rights violation. Therefore, a right against climate change is generated out of the pre-existing duties appended to the rights that are (or will be) violated by climate change. To recapitulate, climate change is a human rights violation, as it violates both (1) basic rights such as subsistence rights and (2) all other rights such as voting rights.

## **2.2 Philosophical hurdles facing climate rights**

There are some obstacles facing climate rights from both philosophical and practical standpoints. Firstly, I will address the philosophical issues. There is the philosophical argument that future humans do not yet exist, and therefore (1) do not have human rights in the present, and that (2) even if they have human rights, it is impossible to identify these rights

(Duwell & Bos, 2018; Parfit, 2010). My response to (1) is that it is intuitively predictable that humans will continue to be born in the future, and if humans have unalienable rights, future humans will have rights (Bell, 2011). My response to (2) is that while rights do change over time (Donnelly, 2008), future humans will almost definitely hold basic rights such as a right to subsistence. Therefore, this identity problem is resolved. Another philosophical obstacle takes the shape of questions around correlative duties in climate rights. Considering that fighting climate change requires concerted action (Dietzel, 2019), I am confident that a right against climate change can be characterised as Hohfeldian (1913) claim-rights, that generate a corresponding claim for the fulfilment of the right(s) to an identifiable duty-bearer(s). Brandstedt and Bergman (2013) point out that since climate change is caused by disaggregated actors whose identities cannot easily be determined, which makes apportioning responsibility for climate change and their co-responding duties difficult to identify. My response to this is as follows. Economic growth driven by capitalism has been the main contributor to climate change (Jackson, 2017), and almost the entire global economy is a participant in capitalism (Harvey, 2005). Ashford (2018) argues that disaggregated agents in an unjust system can indeed bear collective responsibility for the injustice, and if we apply this to climate change, it thus follows that almost all of humanity bears at least some duty in the abstract to implement climate rights. We have so far surmounted the most salient philosophical hurdles. However, the next section will reveal that there are practical obstacles to climate rights that will prove tougher to overcome.

### **Practical problems**

While normative justifications for climate rights are important as a foundation for real-life action (Duwell and Bos, 2018), it is important to recognise that purely philosophical frameworks in the real world rarely work as-is. As Brandstedt and Bergman (2013) state, the normative aspects of climate rights must be studied in tandem with 'real-world' issues. In this section, I will outline practical issues of climate rights, and then argue that concepts from green citizenship may be of some use in guiding the implementation of climate rights. One problematic obstacle to the implementation of climate rights is the structural nature of climate injustices (Eckersley, 2016). In a way, this is a more complex rehashing of the point on claimability made in Section 2.2 of this article. Different entities, such as large multinational corporations, state actors, and individuals all contribute to global emissions, and therefore climate change, in differing ways and to differing degrees at different points in time (Jackson, 2017; Steffen et al., 2011). This creates practical difficulties in distributing responsibility for remedying climate injustices. Eckersley (2016) argues that this process risks heightening divisions between developing and developed countries, either through diplomatic conflict or further reification of post-colonial divisions. Secondly, there is the problem of the real-world

feasibility of implementing climate rights. For example, Brandstedt and Bergman (2013) question the enforceability of climate rights in our current society, primarily with reference to the inadequacy of the international legal framework for enforcing climate rights. In addition to this, the production of knowledge around the climate crisis is heavily politicised and subject to structures and discourses of domination (Mahony and Hulme, 2016; Hulme et al., 2020). Therefore, it follows that the effectiveness of climate rights and/or the possibility of its implementation is in doubt, when one considers the epistemic power that discourses of capitalistic consumption hold in contemporary society (Barry, 2009, 2016; Jackson, 2017). For example, even discourses of minimalism and reduced consumption (e.g., Marie Kondo's minimalism) are co-opted by consumerism for profit (Meissner, 2019).

In summary, climate rights face practical obstacles to implementation due to (1) the globally distributed and multifaceted nature of climate injustice, and (2) concerns over feasibility in the context of contemporary economic and social structures. This begs the question: how might we overcome these practical obstacles?

#### Radical solutions: The synergy of green citizenship & climate rights

Green citizenship is: '...a distinct form of citizenship that challenges traditional citizenships by being non-territorial, non-reciprocal, and not confined to the public-political domain. It is more about individual values and duties than about rights, and it challenges the traditional emphasis on the individual by locating citizens in a larger community that is global, unequal and dependent on the natural world' (Macgregor, 2016: 612). Green citizenship essentially espouses a 'bottom-up' democratic approach to the climate crisis, focusing on the active democratic participation of individual citizens in a struggle against practices of unsustainability and structures of domination (Barry, 2016; *ibid.*). While it is not the purpose of this article to construct a complete framework for the practical implementation of climate rights, I will argue in this section that Arendtian green citizenship may provide some answers to the practical issues facing climate rights. Borrowing from this discourse, climate rights could be characterised not as something to be enforced or distributed, but as an entitlement or claim to opportunities to participate in democratic practices of sustainability and cosmopolitan green citizenship.

#### **4.1 Enter Hannah Arendt**

Let us return to Hannah Arendt's (1958) *vita activa*. To recapitulate, the *vita activa* is a trilevel hierarchy of activities<sup>2</sup>. At the top is what Arendt calls *Work*, or alternatively *Action*. By *Work*, she refers to political participation and performance in concern with fellow members of a polity

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<sup>2</sup> See Appendix A for a full explanation.

that makes a lasting impact on history. By 'Working', humans are fully unchained from subsistence needs and represent Arendt's conception of the good life in this context, which is an active life (*vita activa*) spent actively participating in politics.

## **4.2 Applying the *vita activa* to contemporary society**

Contemporary society is based around capitalism, which axiomatizes efficiency, consumption, and growth for the sake of profit for a relative minority (Barry, 2009, 2016; Harvey, 2005; Jackson, 2017). This has encouraged a mainstream society in the Global North based around individual concerns, constructing a discourse of almost transactional state-society relationships where citizens are described merely as taxpayers, and representatives of a 'democratic' government seen as (1) providers of services paid for by taxes and (2) representatives of elite interests (Barry, 2016; Macgregor, 2016; Voice, 2013). Work is an overriding part of an often unhappy and monotonous existence (Graeber, 2013). While discourses of active or prefigurative politics do abound, they are far from dominant (*ibid.*). Consumption for its own sake is another key theme, driving increased pressure on resources (Meissner, 2019). Using the Arendtian framework of the *vita activa* to analyse this situation, it is apparent that those who are, in Arendtian terms, Working, are bound to be a minority, and are mostly in a mostly consumptive state, represented by the levels of Labour and Making in the *Vita Activa*. I argue that this lack of political participation both reflects and constitutes the epistemic hegemony that capitalism holds over our society, thus building the political, societal, and economic obstacles to climate rights referred to in Section 3. In other words, why would a system built on and benefiting from growth incentivise more active political participation that could challenge its dominant position? Participation in politics has been made difficult (1) by a 'flight away into the self' (Hargis, 2016) and into consumptive culture, and (2) the reality that capitalism coerces large parts of society into non-socially useful work (Mair et al. 2020), or what Arendt would call Labour.

## **4.3 Arendtian green citizenship: challenging structures of domination**

While there are many differing conceptions of green citizenship<sup>3</sup>, I argue that a specifically Arendtian conception of green citizenship will help return discourses of political participation into the *zeitgeist* by encouraging a turn away from the self to active participation in political life. Using an Arendtian framework of active political participation, Hargis (2016) outlines some strategies that could be used to drive a political and societal shift towards sustainability. I find her point on legitimising political action the most powerful one for the purposes of this article, which I will expand upon below. The turn to the self, caused by modernity (Bowring, 2011; *ibid.*), characterised as the aforementioned dominance of self-centred transactional and

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<sup>3</sup> For example, Barry (2016) espouses a specifically republican type of green citizenship.

consumptive capitalistic culture, has resulted in a cynicism towards political action when combined with the realities of the difficulty of political participation (Hargis, 2016; Voice, 2013). Axiomatizing active citizenship in the manner that Arendt does in her work (Bowring, 2011) might drive bottom-up democratic participation and cause a paradigm shift in contemporary society away from capitalistic discourses, which in turn would make the implementation and embedding of climate rights into the zeitgeist a more likely prospect. This would, in turn, cause a shift towards cosmopolitanism and away from blind state allegiance, thus easing international co-operation towards implementing climate rights.

#### **4.4 Caveats to green citizenship**

I would like to note that green citizenship is not an unproblematic paradigm. One main issue is that it is a primarily Western paradigm and is arguably reflective of the privileged opportunities for political participation in the Global North relative to other countries (Macgregor, 2019). However, active citizenship is indeed being practiced under the umbrella of human rights activism in the Global South (Ackerley, 2011), and I argue that a pursuit of climate rights through green citizenship will benefit from the diverse viewpoints offered by the Global South experience of prefigurative politics. It is important that the diversity of viewpoints in the climate rights conversation be respected, and primarily Western conceptions of green citizenship (or any other conception for that matter) should not be used to suppress relevant voices in the Global South – or as Spivak (2011) would say, subaltern voices should not be oppressed.

#### **5. Conclusion**

I have argued that while climate rights are normatively desirable, this does not overcome difficulties in implementation, such as the resistance of the hegemonic discourse of capitalism *inter alia*. How might we overcome this ‘implementation gap’? I have argued that the implementation of climate rights may benefit from a turn to Arendtian green citizenship, but what does this really mean? Rights must come with agency – with the ability to make citizens’ voices heard and a turn away from the transactional nature of contemporary citizenship. Establishing a right against climate change will not automatically generate an end to the climate crisis, but it can serve as a vehicle of democracy towards such an end, if we combine its normative framework with that of the importance of bottom-up political action and agency.



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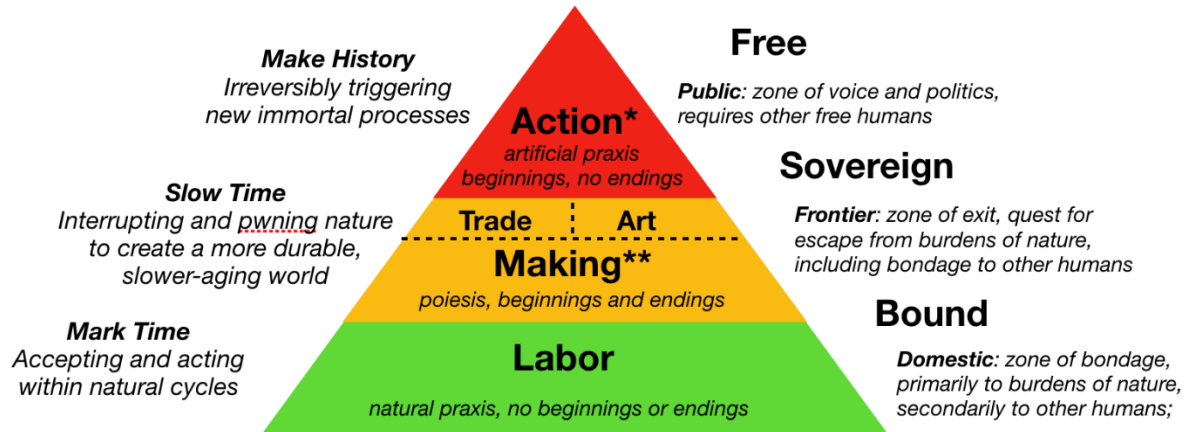
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## Appendix A: The Hierarchy of Vita Activa

Source: <https://www.ribbonfarm.com/2017/09/14/how-to-make-history/>



### The Arendt Hierarchy

\* Arendt means specifically politically consequential, irreversible, identity-disclosing action, not all action in an everyday sense

\*\* Arendt's calls this "work", which I changed because I find it too generic and confusing