

# Value for the Human Environment: Right to Life Reformulated and Extended

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## Abstract

If human life is granted to have moral value, anything which is necessary for human life to exist is also granted to have moral value. So the necessary life-matrix in which human life takes place has moral value. This is predominantly framed for the essay in terms of a human right to life and the correlative duties which mirror that right. It is argued that the normative ethical force of the human right to life also extends to certain aspects of the human environment. This provides strong but limited normative ethical coverage for environmental concerns, but does not extend to many qualitative or non-human environmental concerns. It is then argued that uncertainty factors drive an extension of normative coverage, though not as far as may be desired. Potential methods to integrate life-based morality into normative ethics for better coverage of environmental concerns are then suggested.

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This essay argues that the morally relevant forces underlying the human right to life also generate normative ethical value for some human environmental concerns. This is without necessarily requiring specific recognition of such a right, or even such a thing as rights, given that primary warrant is drawn from those underlying forces. Much of the discussion then is shaped by arguments that normative force should be extended to some non-human life and even to certain non-living elements, as an integral factor to the impetus of morally relevant underlying forces of the human right to life. This provides a certain minimum value for environmental

concerns, from the strong warrant of the human right to life, which may outweigh many arguments from autonomy against environmental-type ethical restrictions.<sup>1</sup>

Specific focus then is directed at a right to life, recognized as most fundamental in several formulations of rights, but here considered first as the right of a living person to their own life, such that other people have an obligation (a duty) not to unjustly end that life. In Hohfeldian terms this starting point is that of a claim-right to life which corresponds to a directional duty in each other person. Though this discussion is meant primarily to consider normative ethical force, Hohfeld's legal formulation is both logical and convenient to utilize and in any case there is a great deal of overlap between ethical and legal conceptions of rights. Ethical warrant for the rights/duties correlation, specifically for the right to life, will be further constructed below.<sup>2</sup>

A right to life, or at least recognition of the value of human life, is not controversial, and is recognized either formally or informally in various moral systems and legal codes. However, there may be a great deal of difference in what is recognized as a just reason to end a life. Regardless, that which may be considered to be just reason to kill is not of primary importance for this discussion, aside from the point that there is always some threshold and so the right to life cannot have unlimited force.<sup>3</sup>

There is some moral force underlying at least human life, such that people come to recognize such a right, or in any case to recognize that it is wrong to end human life without just cause. My minimal grounding for moral value for life need not extend beyond each human life valuing itself intrinsically, with other values argued as granted instrumentally from that. However, I will also suggest that life itself, human or otherwise, has some intrinsic underlying moral force. It is sufficient here to consider this moral life force simply as 'being as life'. That is, life exists, and whatever it may be in essence it remains the case that life as such has a significant force of existence in and of itself. This need not be by appeal to any sort of divinity or sacredness

or order, natural or otherwise, but instead may be derived solely from collected observational evidence. Human observation and reason informs us that in terms of all that we know, life itself is active, important, special, and rare. While these characteristics alone do not necessarily generate moral force, human relationships with them do.<sup>4</sup>

Though admittedly this life value is more apparent when we direct our observations beyond the narrower scope of strictly human society and politics and economy. Or instead beyond the bounds of this single planet. To many of the ancients the existence of life seemed to be nearly ubiquitous, and though they did recognize it as having some importance, it was relegated that life as life was a common thing and deserved no special regard. Thus when Aristotle classified living things according to their faculties, the bare existence of life was sufficient only for the lowest level, that of the nutritive or vegetative. Human life was granted more importance, as also being sensible and rational, but for my purposes here I am focusing on the basic 'being as life' which is common to all life and was previously captured by ideas such as the nutritive soul.<sup>5</sup>

Such an attitude toward life as such, as something common and not very important for its own sake, has continued at least in the Western tradition until relatively recently. Instead life has been considered to become significantly valuable only when useful or autonomous or otherwise more developed in complexity, as inherited from those ancient thinkers and developed since. It seems to be packed in to many conceptions of rights and ethics in general that one can simply assume that human actions cannot threaten the very existence of life. For this reason it has not been considered necessary to account for the continuance of life itself when allocating proportional values and prerogatives. This may have been the case for the ancients and their philosophical inheritors until relatively recently, but has clearly become untrue now, at least on this planet. This essay is meant in part to unpack and address that assumption, and thus to call for

a reassessment of such allocations. If the continuance of life cannot be assumed, then matters which impact that continuance take on significant moral value and must be better accounted for.<sup>6</sup>

Some non-Western traditions, and certain trends in Western thinking, do designate more value to life of itself, but on the whole this does not seem to have had a foundational impact. This should change, and soon, for the discrepancy is becoming more apparent as human population growth and human activity threaten to overwhelm the balancing capacities of the global biosphere. Any designation of human concerns as having overwhelming priority over other living things, or over what I will term the 'life-matrix' (defined below) as a whole, has become a dangerously imbalanced luxury that our living species can no longer afford to indulge in. This essay uses moral grounding upon something which is recognized to have significant impact on global human affairs, the human right to life, to draw recognition to the value of all life, or at the very least to that portion of life and the life matrix which is necessary for continued human existence. So even if we do not grant intrinsic value to all life, much of it still has instrumental value because of interdependence with human life.

Human understanding of life and life processes has progressed in enormous measure since the time of the ancients. We know much more about the interconnected-ness and interdependencies of life. We know that human life itself is utterly dependent upon a greater life-matrix. Although human experience and human-type life is unique (as far as we yet know), it is false to suppose that human life exists somehow separately from other forms of life. Put another way, any support or guarantee for the continuance of human life, such as a right to life, must account for a greater life-matrix which is required for any particular type of life to continue.

So, any recognition of value for human life inherently grants value to other types of life and to any thing or condition required for the continuation of human life. This is the case whether the recognition is explicit, such as by inclusion in a declaration of rights, or implicit,

such as when other goods that still exist subsequently to bare life are valued. To restate, one cannot logically value human life without also valuing other forms of life and any other thing which is necessary for human life to continue. Not for their own sakes, necessarily, but instead as an extension of the value granted to human life. Human life can only take place within a greater life-matrix, composed of living and non-living things. The relation does not require that the same type or amount of care, necessarily, be lavished upon that which supports and enables human life, but some care must be given, some value granted.

For those that do grant there to be an explicit right to life for human beings, support can be logically derived for the position that the force of this right extends to other living things and also to non-living aspects of the world. Consider the following formal argument: There is a right to (human) life, for those humans that live. This entails a correlative duty to respect that right in others. So each person has just the one right but a collection of duties, those directional duties toward each other person. Directly speaking, this is the duty to not end any of those lives unjustly. But indirectly, this can be reformulated as the duty to not render the continuance of those lives to be impossible (unjustly). So to alter the human life-matrix in such a way as to make impossible the continuance of a human life is a violation of those duties, and an additional violation occurs for each additional life that is made impossible to continue. As such, this indirect formulation of the duty which correlates to the right to life may actually have stronger force than the duty not to murder an individual, as corresponds to how many other lives are impacted by the alteration of the life-matrix. But the life-matrix is constituted of both human lives and other types of life, and of both living things and non-living things. So the right to life generates a duty not just to respect human life, but also to respect other types of life and non-living things, at least insofar as disrespect may impact human life.

This is a multi-layered and compressed argument as given, but the major move is the reformulation of 'not to kill' into 'not to make impossible the continuance of a life'. This is an equivalent statement, but one that permits better inclusion of situational considerations than the simpler but historically burdened and limited injunction 'do not kill'. The move from direct to indirect is not overly controversial provided that there is a sufficient causal chain, though with the caveat that the indirect chain must be one that is reasonably within human understanding. To stick a knife into someone in a way that causes them to die is a violation of the duty to respect life, but it is also a violation to set a home on fire and walk away, if that fire kills someone.

It is also a violation to poison the drinking water of a settlement, if that poison causes people to die. To the extent that the likely consequences can be known, it is also a violation to pollute that same water, insofar as the pollutants may be toxins and those toxins may have a deadly effect on the inhabitants. Humanity has reached sufficient understanding of the conditions of life and those things that render it impossible that we must also extend our conceptions of those acts which violate the duty to respect life. Ignorance of consequences may be a mitigating factor in certain cases, but that mitigation cannot render void a harm that is understood by the greater community to be such.

### Clarifications

But I should now take a step back. The position outlined in the essay thus far has utilized somewhat loose terms and concepts, in an attempt to bring forth the breadth and complexity of the matter, but I will now go into more precise detail on the following aspects, to help clarify: the term 'life-matrix', the right to life as being derived from morally relevant underlying forces and the is/ought concern, intrinsic/instrumental values, ties to the rights function debate, the rights/duties correlation, and the 'respect a duty' abbreviation.

The term 'life-matrix' is meant to provide instantly cogent recognition that life itself takes place and continues in ongoing relations with both other forms of life and also non-living elements. That all of the Earth systems, great and small (water/weather/climate cycle, inter-species interactions, food-chains, ozone layer radiation shielding, soil-bacterial nutrient availability, etc), interact and rely on each other, at least to an extent. This recognition is important since human activity now has the capacity to damage or even destroy these systems.

Life-matrix is a better term for this purpose than those such as 'life-web' or 'ecosystem' which may seem to imply relations only to other living things. Perhaps 'biosphere' may be an adequate replacement in some cases. Though life-matrix is not meant to imply a singular structure but rather a designation for any such matrix that takes place, whether on this planet or elsewhere. The greater part of life on Earth, and certainly human life, participates in the same vast planetary life-matrix. It is taken for granted here that it is the case that life cannot exist absent at least a rudimentary life-matrix relationship structure, which is beyond the scope of the essay to adequately discuss.<sup>7</sup>

In regards to the right to life being derived from morally relevant underlying forces, this is a metaethical assertion based on general recognition of the value of human life. That is, any given ethical system will recognize certain things as being morally relevant and must account for those things within its system. In effect I am making the metaethical assertion in this essay that the life-matrix as a whole (or any life-matrix) is morally relevant, for any and all ethical systems. Those that recognize a specific human right to life are more thoroughly included by the arguments given, but this also extends at least somewhat to any ethical system that places some value on human life. Any normative ethical system must do so, though minimally, as being a system to direct the behavior of living people. Human life is dependent upon a life matrix in such

a manner as to be practically inseparable; if human life is morally relevant then so too is the life-matrix it depends upon.

As the focus of the main argumentative line is entirely on the ethical normativity of human life itself, I am somewhat fudging the need to provide a justificatory link between the being of life and normative warrant. That is, I may be dodging the is/ought problem by going to something so fundamental that the convergence is not easily disputable. If there is no human life, ethics becomes meaningless; if we continue to destroy the planetary life-matrix, there will be no life. Whether a particular ethical system is willing to grant normative warrant to the human life-matrix is irrelevant, as the conditions of life take place prior to any other moral goods. It is the case that ethical systems must account for fundamental forces of existence. Life is one such force, and one that cannot be disputed. Sometimes at least 'being as X' is sufficient for normative warrant.

In regards to intrinsic/instrumental values, I should clarify my usage. For my main argument, life is considered to have intrinsic value for itself—all life values itself intrinsically—but other values are instrumental. So a human life has intrinsic value to that human. Other life, and non-living things that are part of the same life-matrix, are considered to have only instrumental value for that human. This instrumental value is drawn from the necessary relationship between a given life-form and the life-matrix in which it exists. In general, my argumentative basis also considers human life to be of only instrumental value for other humans. So part of the correlativity claim is that it is instrumentally good to accept the duty correlating to the right to life.

Personally, I consider all life, and possibly all things, to have intrinsic value. I think some of this bleeds over a bit above where I am speaking more loosely. I do not attempt to include broader intrinsic valuations here because doing so would be more difficult to support and so



would weaken my arguments. Part of the appeal here is in considering what may be drawn from the normativity of human life when only instrumental values are considered, for anything beyond the individual human life as it values itself. Rational acceptance is thus broadened to every human individual, not just to those that accept intrinsic value in the human environment or for other lives. After this, normative value for the environment can only be strengthened if further intrinsic values are granted.

In regards to the rights function debate, insofar as I do utilize rights as central to this discussion, there should be some note on the function debate ongoing in terms of the rights literature. Rights functions accounts are explanations offered for why or how rights provide force. At their core these tend mostly to be in regards to legal rights, but they often cross boundaries into ethics and political theory. The two major sides in the debate, until somewhat recently, were the interest theory and the will theory.<sup>8</sup>

The simple 'being as X' grounding that I am providing here is in no way adequate to justify any extended listing of rights, but it is sufficient for the sole consideration of a right to life. Thus it may not be necessary for me to fit my own warrants for the right to life into a broader rights function theory, and I will not attempt to do so. I do provide a number of subsidiary reasons in support of my claims, but it would be difficult to cohere these into an existing rights function theory. As noted above, one may consider that I am just using the 'right to life' configuration and the accompanying framework as a convenient argumentative bundle for something fundamental to human existence/morality.

In regards to the rights/duties correlation, more needs to be said. The specific correlativity that I utilize is just that which is explained above: a person that has the right to life, which all living humans do, also has the duty to respect that right in others. This can also be stated as: you live, so you should not kill without just cause. I am aware that a more general rights/duties

correlativity in ethics is controversial, but I think that a good case can be made that the more specific correlativity I utilize should be accepted. I will attempt to do so here.

I define my correlativity as being a conceptual relation between the right to life and the duty to not kill, such that the right implies the duty and that without the duty there can be no actual right. They are two sides of the same coin. The moral right may be recognized for other reasons, as I argue that the right to life is recognized from the force of being of human life as such, but the body of the right is formed by the correlated duties held by all others. In a way the right is arrived at from the reverse direction, temporally speaking. So we may consider that there is a force of 'being as life', and that people come to recognize that it should not be ended without just cause, which becomes the duty to not kill, which means that there is a right to life.<sup>9</sup>

From the perspective of the individual person, to violate such a right held by another is to weaken or even destroy that right in oneself. To kill another person is to at a minimum call into question your own right to life, for you just violated that right in another who held it by no weaker reason than you hold your own. If that right to life is supported by its own existence as such, its own force of being, then negating that 'being as life' in another cuts away the support of your right. To bring death to life may also bring the shadow of death upon one's own life. The duty is accepted, at least in part, because if it was not then the right would have less or no meaning. It is in the direct interest of the individual right holder/claimer to also submit to the collection of duties mirroring that right in others.<sup>10</sup>

This is an interest based argument, and implies a conscious acceptance of the correlated duty, but that need not be the case. The mentally impaired or those such as children who are not considered responsible still have the right to life. The interest argument is good support, but the correlativity can be more directly derived from either consequential or *a priori* reasoning.

Consequentially, if the right to life is not upheld by correlated duties, then the right is empty and becomes meaningless. If one person has a right but others do not have a matching duty, then any challenge to that right will overcome it. One need only consult the annals of the Human Rights Watch to find plentiful examples of rights rendered meaningless, and just in recent history. The correlation to duty was broken or not observed and the rights were *de facto* destroyed. Respecting the value of human life (recognizing a right to life) leads to better outcomes than not doing so, but there must be a mechanism for doing so (the correlated duties) for that respect to take place. There are derived consequentialist reasons for accepting the correlativity, as drawn from historical experience.

*A priori*, for a (human) right to exist then there must be mirroring duties which themselves form the meaning or body of that right. This is most clear in a universal human right such as the right to life, which if it be universal is held by each individual, and thus the correlated duties also exists in each individual. For if there is any individual without the correlated duties, then that person can act freely in such a way as to annul the right without violating it. To kill, in a manner that would not be considered justified, without moral blame. But if the right is universal it cannot be annulled, only either respected or violated. This is effectively the reasoning for there being a conceptual relation between the right to life and the duty to not kill, rather than some weaker relation. One cannot have one without the other, because the contents of the right and duty are describing the same thing from different directions. It is wrong for me to kill without just cause, because I live; I live, so it is wrong to kill me without just cause.<sup>11</sup>

In regards to the somewhat vague use of the term 'respect', such as in speaking of the duty to respect the right to life, nothing in particular is meant to be stated beyond a convenient abbreviation of the more thorough definitions provided herein. So, to respect the duty not to violate life is to not kill, or to not alter the life-matrix in such a way as to render life impossible.

To fail to respect that duty is to kill, or to cause death. Though the injunction to respect life has often been utilized in other contexts in order to convey sentiments which are at least in parallel with some of the arguments here, and some sense of those may be conveyed, the major meaning here is only as shorthand and to improve the flow of the work. This is a way to denote the moral weight of the concepts involved using just the single word.

### Return

For now that seems to be sufficient clarification. Returning to the major argument of the essay: the life-matrix has normative force insofar as it is indispensable for human life, which has normative force. Warrant for this is primarily what I will term necessary reasons, in that there is a clear and necessary relationship between the human life-matrix and human beings, and human beings are recognized to be morally significant. This has been argued logically above. It should also be accepted for practical reasons, in that we all share the same life-matrix here on Earth, and damage to it impacts all of us alive today and also people yet unborn. Even should it be the case that humanity someday reaches beyond this world (by creating simpler life-matrices to bear it forth), the rarity of life and difficult and special conditions required for it to continue strongly suggest that we should consider both life and the encompassing life-matrices to have normative ethical value.

There are many supporting reasons for accepting that the human life-matrix (at least) has normative force, but the central argumentative line for this in the essay is in terms of the human right to life and the correlative duties. These are fairly restricted as given, and it may be the case that they can be assumed to be captured by existing ethical systems. Such a duty is only violated if someone dies, and of course it is immoral to kill people, however indirect the means used to do it, provided that the causal link is sufficiently known. What is it that makes this an interesting claim?

It does grant significant normative ethical force to human environmental concerns, which is not necessarily the case with existing ethical systems. And is certainly not the case with many legal or political systems, at least in practice. The environment (or at least aspects of it) is understood here not just as the background of human lives and human morality, but instead as an integral and necessary part of the whole of human existence. This alone makes the claim worthwhile. If it were formally recognized that any death connected to harmful environmental practices was a wrongful death, rather than accidental or incidental, then such practices could become less profitable and may be changed. It would be the case that those harmful practices were a violation of the duty to respect human life.

The extent of the normative force extended is another question, and may be problematic. The only duty claimed thus far has been a strictly negative duty—to not kill. So the duty is only violated if someone dies. This is fairly rare in cases of environmental pollution or devastation, as often that which is being done is not directly toxic or damaging to humans to the extent of bringing on death. People will also move away from such dangers before they get hurt, or before they die. Many cases of environmental damage do not directly impact people at all, taking place away from human habitation, and by the time the effects reach people they tend to be sufficiently dispersed so as to not be acutely toxic or otherwise to end human life.

Even in cases where humans are killed, the normative force granted will be in inverse proportion to the conditions of justification for overriding that harm. So, if the bar for justification is set low, that force is weakened quite a bit. If a death is considered justified, or ruled accidental, then there is, generally speaking, no moral blame. If there remains any moral blame it will be greatly attenuated. For cases of environmental harm that do not directly or obviously impact people, from what has been argued thus far, there may not be any moral blame at all.

But that is the crux of it, and why it is significant for moral force to be granted to the life-matrix itself in this way. It is not the case that a direct duty toward the life-matrix is being claimed. We already have that from environmental laws, to various extents from nation to nation, and in many cases it is considered a very weak duty indeed. The bar is set very low. Instead, the normative force of the life-matrix is here tied indirectly to the duty claimed—to not kill humans. This is almost always recognized (at least *de jure*) as a very strong duty. The justifications for ethical violation set a high bar. While some proportion of the moral force against direct murder may be lost, given the derived relationship of the life-matrix, that which remains may still be significantly higher than currently recognized moral force against environmental harm.

The duty to not kill may be considered to be violated even in cases where people do not die, which extends the practicality of application in terms of the life-matrix. Morally, attempted murder may be considered just as blameworthy as successful murder. Legally it is often considered a lesser crime, but not much lesser and it is still a major offense. If the life-matrix is encompassed in the duty to not kill then any damage to it that merely threatens human life could be considered equivalent to an attempt on human life. This would make those responsible morally blameworthy to that extent, and also potentially liable to criminal charges, depending on the legal framework. Given that the limited liability protections enjoyed by corporate entities do not necessarily extend to criminal matters such as murder or attempted murder, this could have a significant impact on corporate activity—some of the worst sources of negative impacts on the global life-matrix.

### Limitations

Strictly speaking, that may be as far as I am able to go in terms of solid warrant from my argumentative basis. That is, I claim that the human life-matrix has normative ethical force because of its inextricable relation to human life. This is recognized as a fundamental link and

thus applicable to all ethical systems, but is argued here primarily in terms of the human right to life. Those points immediately above are taken to be in direct consequence from that claim, and some discussion on potential outcomes is also offered. Next, I will consider limitations to the claim and then potential avenues for extending normative force.

For limitations, one may consider that normative force is argued here only in terms of bare life, without any indication of quality of existence; that a great many environmental harms may not be covered, as not having a direct relation to the human life-matrix; and in general that only negative duties are extended, without any sort of positive duty included. Also, that extending the human right to life in this manner may be in direct conflict with human autonomy considerations.

In regards to the quality of the life-matrix, one may not necessarily be able to stipulate more or less quality or a certain type of existence using the basis I have relied on here. That is, the fundamental grounding for moral force that is appealed to here is that of bare human life, its existence and continuance, which has no certain link to a qualitative aspect for the life-matrix. So for example, stripping down a human life-matrix to the bare essentials (air to breathe, a certain range of temperature and humidity, a given level of caloric intake, etc) will still furnish the necessary conditions for that life to continue, but this may by no means furnish a desirable outcome, depending on circumstance. This much may be quite enough for astronauts, who must bring with them an entirely artificial life-matrix into an environment that has none. They also willingly accept the hardships of a limited life matrix because of their missions. A similar reduced condition is a significant form of punishment for imprisoned criminals, who are restricted from access to the greater part of the vast Terran life-matrix. Whether or not the right to life is respected is not necessarily the determining factor in whether life is worth living.

In regards to comprehensive environmental protection, insofar as the duties discussed here are strictly in regards to human life, it may be the case that large portions of the global environment will not be protected from human caused devastation. Those portions that are protected may not remain in their natural state, as it could suffice to provide artificial replacement that covers those aspects of the environment that humans interact with (however superficial the replacement might be). So the dumping of garbage and other undesirable substances into the oceans may not be considered a harm, if it is done in such a way as to not disturb the fishing industry or recreational boating or shore life. If human life is not disturbed, such practices may not be any sort of violation to the human right to life, regardless of the non-human lives that are impacted. However, some such devastation may be covered under potential damage to Earth systems, which are part of the human life-matrix—carbon emissions are covered, for example, as being recognized to contribute to climate change and so to threaten human lives.

In regards to the negative/positive duties issue, it is the case that the only duties discussed so far, those to respect human life, are negative injunctions. They only mark forbidden territory, so to speak, and do not offer any positive normative ethical guidance. They only tell us what not to do instead of what we should do. So the two previous limitations discussed are the failure to stipulate qualitative life conditions and the failure to stipulate general care for environmental matters, respectively. The essay thus far would seem to lack any sort of comprehensive normative ethical guidance regarding the human environment, in that no positive injunctions have been offered.

In regards to potential conflict with human autonomy considerations, it would seem that extending the human right to life to protect the human life-matrix could greatly restrict human freedom of autonomy, which is arguably another fundamental right. Autonomy is one of those



areas that may be recognized from the 'being as X' basis, the same as the right to life, in that humans are autonomous individuals by dint of the autonomous aspect of human being. As we derive the right to life from 'being as life', so also may we derive the right to autonomy or liberty from 'being as autonomous'—the grounding is the same and does not necessarily show priority.

So in themselves there may be nothing to stipulate any priority between the rights to life and to autonomy in those cases where they come into conflict. Humans have just as much urge to be free to do what they choose as they have urge to continue to live—perhaps even more, as there have been those who chose to risk life, even to sacrifice life, for the sake of freedom. That famous phrase, "life, liberty, and the pursuit of happiness", may grant priority to life, but two-thirds of it is given over to autonomy. The basic conflict between them is strong enough already, but to extend the right to life to include the human life-matrix may be a weaker proposition than the autonomy that it attempts to overbear. It may be the case that the proposed extension cannot take place because human autonomy considerations take priority.

#### Answering autonomy

This last objection is perhaps the most problematic, and requires some discussion before continuing on to consideration of potential avenues to extend the normative force of the proposed reformulation of the human right to life.

In some ways the fundamental conflict outlined above, between life and liberty, or between the right to life and the right to autonomy, is one of the central problems in ethics. It is in no way limited to the claims being advanced in this essay. In fact, it would not be false (though it would be incomplete) to define normative ethics as a collection of agreed justified limits on autonomy. That is, much of ethics is about the very thing that is objected to above, restricting human autonomy in specific ways. In terms of duties, one may consider that negative

duties define areas where autonomy is overruled whereas positive duties restrict and guide autonomy down certain paths.<sup>12</sup>

Any successful ethical system is one that provides sufficient justification for the normative values given such that autonomy considerations may be restricted in those ways. That is, such a system shows that it is better or required, for the individual and/or for the group, for some autonomy to be sacrificed for the sake of greater goods. Nevertheless, different ethical systems weight the value of autonomy relative to other goods in different ways. The more weight granted to autonomy the greater the justification required to overcome it. It is even plausible (though short-sighted) for an ethical system to grant sufficient weight to autonomy such that there are no other goods that have priority, or very few.

As the central assertion of this essay is a metaethical principle, rather than one which takes place within a given ethical system, it may not be possible to conclusively argue that autonomy is justifiably overcome by the proposed reformulation of the right to life, by any extensions from that, or indeed by any right to life at all. Any such calculus must take place within a comprehensive ethical system. What can be done is to examine the principles involved and to provide some ordered considerations to extrapolate within an ethical system. The essay as a whole is devoted to this, but there are some more direct responses that are appropriate here.

It is the case that individual autonomy must be limited if groups of people are to live together. The larger or more comprehensive the group and the more complex the society, the more autonomy must be infringed upon and behavior regulated. We have come to the point where human society is global in scope, and may soon spill over beyond this world, and it is the case that justified infringements upon individual autonomy must encompass the entirety of this. "Life, liberty, and the pursuit of happiness" was superseded, two hundred years later by the descendants of the signers and many others, by the adoption of a different and broader

framework of human rights, which claimed instead "life, liberty, and security of person." And though the difference is just noted symbolically here, it nevertheless seems of import that only a third of this phrase is devoted (directly) to autonomy. The new era of globalism was ushered in following hard lessons on justifiable restrictions on human autonomy.<sup>13</sup>

As described above and defined here, it is not that life and autonomy are competing fundamental forces that each have normative ethical force, but instead that autonomy is a fundamental force of human existence and that life generates or is granted normative ethical force to overcome certain aspects of autonomy. So defined, autonomy is not a normative ethical assertion but rather something that is limited by those ethical assertions that are considered justified to do so. That the continuance of life is so justified is generally accepted (as discussed above), barring certain limitations (i.e., those things which justify violating the right to life). So the objection for autonomy need not be considered as a specific objection to specific ethical claims, but rather as a general objection to every ethical claim. It is always the case that normative ethics must justify limitations on autonomy.

The core appeal provided in this essay for recognition of the normative ethical value of the human life-matrix is that of necessity—that there is a necessary link between human life and its life-matrix. Necessity may also provide reason for why it is justified to further limit autonomy in these ways. The great global life-matrix of humanity is threatened, in a number of ways, and if we do not attempt to limit ourselves in order to care for it, then it may be pushed beyond the capacity to support human life. Rendering human autonomy meaningless. Even short of that event it remains the case that environmental damage threatens human lives and constitutes attacks on human life.

We may also consider that life is a necessary condition for autonomy, whereas autonomy is not a necessary condition for life. One may live and not be autonomous, still retaining the right

to life, but one cannot be autonomous without living. This implies that even though both are fundamental to human being, life is more so. When life itself is threatened, it takes precedence over autonomy. If not, autonomy is lost regardless, for those lives that are lost.

### Extensions

Two potential methods of extending the normative ethical force of the human right to life, past some or all of the limitations noted above, are considered here. The first has to do with recognition of uncertainty and utilizing thresholds, and the second is a tentative suggestion for a life-based ethical system.

In regards to uncertainty and thresholds, given that the major concern here is the continuation of human life, there needs to be extra care taken to insure that continuation. That is, the duty to respect life should also account for potential error factors in specific human knowledge of the conditions necessary for human life. In the current state of knowledge, the conditions for an individual human life to continue are fairly well known, but more significantly they *can* be well known. This is not necessarily the case with the life-matrix as a whole, as just gathering limited information on any one Earth-system process is expensive and time-consuming. We cannot know with any degree of certainty the exact state of affairs for a given process, or necessarily how one process interacts with another, or the potential impact of certain human actions on a given process or on any other processes which that one interacts with. The complexity of permutations introduces an unacceptable level of uncertainty into just how or when we might damage a given life-matrix system or the life-matrix as a whole.

To some extent this is unavoidable, but we can utilize concepts of thresholds to minimize potential damage or to warn ourselves when we might be approaching an acute violation of the duty to respect human life. One recent and well-formulated model for this is the Planetary Boundaries paradigm. The authors lay out a number of potential life system imbalances and

specify threshold zones of human activity at which damage to those systems may become serious (or catastrophic). Such as ocean acidification, falling biodiversity, and atmospheric carbon proportion. In effect the model is a series of warnings about human activities that are threatening the global life-matrix and stipulations on what needs to change for those threats to recede.<sup>14</sup>

For ethical normativity, some model like this could be used to better lay out threats to the human life-matrix and thus remove some of the uncertainty over damaging it. So, the human right to life requires that we respect the life-matrix in which human life takes place, but while to some extent those human activities which threaten the existence of the life-matrix are known, it is not the case that they can be known with certainty, and thus we should allow for safety factors when restricting human activity in those areas. The ethical normativity is thus extended to reduce or eliminate the potential for loss of human life. This is necessarily a collection of further restrictions upon human autonomy, but can certainly be considered justified to insure the continuation of the species. They can also be considered justified, to a lesser extent, to protect any human life, whether singly or in groups.

This extension would still be restricted to negative duties, so could not be extended into more open-ended positive injunctions for environmental care, but would have the effect of extending protection of the human environment from those things which are known to end human life to those things which have the potential to end human life. That protection can be derived solely from the duties generated by the right to life and the recognition of uncertainty factors regarding the complexities of the life-matrix.

Environmental harms would be further restricted, though not entirely. The artificial replacement concern (that human reconstruction of environmental features is superficial) would still exist, though might be somewhat alleviated by introducing the uncertainty factor into that as well—we cannot necessarily know for certain, or replace with certainty, those natural aspects

which have developed over time. Reforestation after clear-cutting accounts for only one aspect of the forest that was, the trees, and clear cutting may be considered morally wrong if it can be shown that within uncertainty factors there remains the possibility that human life will be harmed because of the other aspects of the forest that cannot be replaced.

Quality of life concerns might be somewhat alleviated as well, though mostly incidentally and not to any great extent—even with uncertainty factors strictly qualitative life conditions are still not directly addressed by the right to life as such.

This next possible extension will not be fully developed here, and is really more of a tentative suggestion than a full argument, but there is some potential in this approach and it seems good to end this essay on a hopeful note.

The basic idea is to explore possible methods of further building these considerations of human life and its relation to ethical normativity into either existing ethical systems or a scratch ethical system that takes account of these matters. I will outline just one example here, for the sake of brevity, with the suggestion that a similar approach might be valid for other examples.

Consider the common ethical injunction for charity. An argument might be made that, if another person can be assisted with no threat to one's own life and at little cost (financial or otherwise) to oneself, then charity is a general positive duty from human benevolence. A counter-argument might then be made that there is insufficient justification for this positive duty to exist, especially for someone that claims no right to receive charity or aid from others, and that to thus infringe on human autonomy by requiring such would be wrong (would not be warranted). It might be morally praiseworthy to help others but there can be no duty to do so. As per my conception here, that is. Many ethical thinkers do argue a duty to assist those in harm's way, but I contend here that there can be no such duty because we cannot ethically require the sacrifice.

But conceive of human life as a finite resource that each individual person has in certain measure. We may then conceive that each act is an expenditure of that life-resource, an opportunity cost that eliminates other potential acts. Money, or wealth, can then be conceived as stored up life-resource, to the extent that it can be exchanged for that which we might otherwise expend our own life-resource on directly with our own time and acts.

The injunction to charity then becomes a requirement to sacrifice of one's own life for the sake of another life. In the case that direct assistance is called for, there is a requirement for an act of life-resource expenditure that disallows other potential acts. This may or may not be a significant sacrifice to the individual in question. In the case of indirect assistance through financial aid, however, there is a requirement for expenditure of stored life-resource, and this may be a much greater sacrifice in that the potential uses of that money are more varied and the replacement of that money will have differing degrees of difficulty for different people. Since people can do many things with their money, and getting more money can require more or less effort and chance than getting it in the first place. But the main point here is that conceiving of a duty for charity in life-resource terms would seem to be in contravention of the right to (willingly dispose of one's) life. This is even more the case when only financial assistance is enjoined.

All of this does suppose that we have an ethical system that extends the right to life to recognize such matters as the chosen expenditure of life-resources, which is an area that is normally just included in autonomy considerations. In this way such matters become not just a non-ethical force which must be justifiably overcome by normative ethical injunctions, but instead a fully related portion of those normative ethical considerations. It also puts more ethical contentions in terms of life considerations that can be weighed against other life considerations.

It seems to be the case that this conception cannot allow positive duties, because any such positive duties may interfere with the very strong, and prior, right to life. However, it is not the

case that an ethical system is limited only to designating harms. They may also designate positive moral value, as it is suggested above that charity may be morally praiseworthy. That is, morality is not just about telling people the bad things to avoid but also about defining the good things and ways in which they may be good people. Most people want to be good and look to ethics for definitions of what is good and how good a given act might be. Positive duties may not be necessary if desirable states can be achieved voluntarily.

While thus far this essay has not dwelt upon positive moral injunctions, focusing instead on moral duties and precluding harms, moral praiseworthiness may have relational ties to the duties explored. So, as the right to life is considered to generate strong negative duties against disrespecting human life, and this may be extended to preclude positive duties that violate one's own right to dispose of one's life-resources, a voluntary sacrifice of one's life-resources for another becomes that much more praiseworthy. To act charitably toward another is an act of great good, as it involves the sacrifice, in small part, of one's own life. This may be an even greater good act in terms of purely financial charity (which is often more useful), rather than a lesser good act as it is often considered. Charity can be considered a good moral act without this extension, but with the extension it becomes a greater good because of the willing sacrifice of that which is protected so strongly by the negative duties.

To return to limitations on environmental goods regarding the initial reformulation of the duty to respect human life (and thus the human life-matrix), it is still the case that this possible extension cannot require those limitations to be covered. But it may not be necessary to make ethical requirements for desirable positive outcomes to be achieved. The rather strong negative duties serve to cover the continuance of human life and a bit more. Beyond this, the designation that it is good, is praiseworthy, to improve all human life quality, or to care for the natural environment for its own sake in unspoiled form, or to reduce all types of pollution and not just



those which directly impact human life, will be far better than nothing for these and other concerns. This is the case since conceiving of these matters in life-resource terms increases the recognitional value of any such good deeds.

### Conclusion

To summarize, this has been an attempt to provide strong moral protection for at least some aspects of the human environment by reformulating and extending the human right to life. This is based on logical progression from, at root, the intrinsic value that an individual human life places on itself. From that, it is shown that significant instrumental value should be granted to other humans, to other living things, and to non-living things, as co-participants in the same life-sustaining life-matrix. This provides a certain minimum level of value to environmental concerns which can only be increased if, as many do, intrinsic value is granted to other entities besides the self. The minimal necessary value that is argued is still much greater, and the normative force granted much stronger, than might be the case when environmental care is not linked to human life value. This is an anthropocentric argument, and problematic as such, but does potentially overcome arguments from autonomy against strong environmental protection. Threaded throughout the essay are suggestions that all life should be valued for its own sake, and the closing potential extension was a suggestion that much of ethics may be conceived of in terms of life and life-resources. So may we better recognize the great good in caring for all life, and perhaps for all things.

## Notes

- 1 My narrow focus on just the right to life seems to be new ground, but the reader may consider Caney, "Climate Change, Human Rights, and Moral Thresholds," 163-177, in Gardiner et al., *Climate Ethics*, and also Bell, "Climate change..." for slightly broader treatments of basic rights and environmental concerns.
- 2 Some major works explicitly stating a right to life are: Locke, Chapter II, Section 6; United States Declaration of Independence, Paragraph 2; UN Declaration of Human Rights, Article 3; and "In Defensa de la Vida, del Agua y la Dignidad de los Pueblos" ("In Defense of Life, Water and Peoples' Dignity").
  - Hohfeld's formulations have been widely discussed and cited; for convenience and for a contemporary perspective, they are taken here from Edmundson, *An Introduction...*, 71-82.
- 3 Given my basis for rights function, the right to life as I conceive it here may be considered 'humanist' or 'naturalistic', rather than 'political' or 'practical', as per Gilibert, "Humanist and Political Perspectives...". Though I do argue for a perfect correlative duty, and provide practical supporting arguments.
  - This is also a particularist conception of the right to life, as per Rumbold, "Towards a More...", given my stress on balancing that right against justifications for overcoming it. I do hold the right to life to have strong inherent force, just not 'peremptory force' over other moral considerations.
- 4 The is/ought problem is addressed in the Clarifications section.
- 5 As in Nicomachean Ethics, 1.13, 1102a30-b10.
- 6 I am not the first to notice this assumption. See Mignolo, "From human rights to life rights," 161-180, in Douzinas and Gearty, *The Meanings of Rights* for a detailed critique of the dismissal of basic life value, or at least human life value, in terms of Western conceptions of human rights.
  - For environmental ethics, the conception I build here is an anthropocentric argument, in that environmental care is extended directly from human concerns for themselves and other humans. For more detail on which see Elliot, "Anthropocentric..." and Bothun, "Do Anthropocentric...". This stems from my focus on the human right to life and is a strong argument (for humans), but I also recognize that anthropocentric arguments can be problematic in certain respects. Possibly my metaethical approach does escape many such problems, which tend to be directed to applied arguments in the political sphere.
  - See La Follette, *Sustainability* for a number of contributions in parallel to my own work here, though from different argumentative bases.

- 7 That this is the case has been explored by others. For just a few references in support of this position, consider: Arber, "Complexity of Life...", Steffen et al, "The trajectory of the Anthropocene...", and Dalby, "The Anthropocene Thesis."
- 8 Though these have since been contested by possibly more satisfactory offerings, such as Sreenivasan's hybrid theory of claim rights, Forst's discourse-theoretical approach (as discussed and critiqued by Valentini), or the kind-desire and the justificatory interest theories (as discussed by May, 2017). For a recent evaluation of interest theory, consider McBride, "Preserving the Interest Theory...".
- 9 I form my definition here from Lyons, "The Correlativity..." 45, 47. This is distinct from more refined versions such as Strong Correlativity, as defined in Da Silva, "Correlativity and the Case...", 2.
- 10 Thus we have various permutations: that recognize killing as being justified in direct defense of life, that consider a murderer to be a valid target of killing, whether by individuals or by the state, that animals which end human life should be confined or killed, etc. Many recognized justifications for ending human life have to do with a linked threat to human life or prior ending of human life.
- 11 One may consider that those not considered morally responsible, such as young children or the mentally impaired, could represent a counterexample here. This is not the case because for such a one to kill without just cause is still morally blameworthy, though to a lesser extent given the lack of personal responsibility. Such a one still lives, so they still have the duty to not kill.
- 12 This is my own conception and quite distinct from, for instance, the Kantian tradition. Though it is not necessarily in opposition to such as I do not go into fundamental motivational factors for rationally accepting moral limitations. In any case I am utilizing a definition for autonomy that I provide herein, something like: basic characteristic of the human condition such that each person is capable of acting of their own self.
- 13 Quoted from the US Declaration of Independence, paragraph 2, and the UN Declaration of Human Rights, Article 3.
- 14 See Steffen et al., "Planetary boundaries..."

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