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COMMENTARY



Should buildings have standing?

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Introduction

In 1972, Christopher Stone's seminal essay, 'Should Trees Have Standing?', challenged anthropocentric legal frameworks by proposing legal rights for non-human entities, sparking a paradigm shift in environmental law and ethics (Stone, 1972). More than 50 years later, the extension of legal rights to non-human entities has evolved significantly, with non-human stakeholders such as rivers and ecosystems being granted legal personhood in various jurisdictions worldwide (e.g. Boyd, 2017; Kauffman & Martin, 2021).

Drawing on this foundational argument, this article examines whether buildings – human-made artifacts and integral components of urban ecosystems – should also be recognized as legal entities with rights. This unconventional proposition challenges established anthropocentric paradigms in disciplines such as architecture, urban planning, heritage planning and environmental law, advocating for a shift towards frameworks that address buildings beyond human rights. This aligns with broader discussions on the rights of nature in urban contexts (Putzer, 2024) and the need for more ecologically sensitive approaches to urban development (e.g. Pereira Roders, 2007; Reed & Mang, 2012; Dalziel, 2022; Han *et al.*, 2022; Zhong *et al.*, 2022).

Contemporary urbanization, climate change, and environmental degradation threaten the built environment and their communities (UN, 2015a, 2015b), with buildings, often reduced to mere human-made artifacts, and their conservation largely dependent on human-centred values (e.g. De la Torre & Mason, 2002; UNEP/Yale CEA, 2021; Cabeza *et al.*, 2022). However, buildings possess intrinsic values – evident in attributes such as their materiality, durability, performance, and form. Buildings can also possess relational and instrumental values, functioning as habitats and integral components of urban ecosystems for non-human stakeholders such as fauna and flora. These multifaceted values are frequently disregarded, leading to unsustainable practices like building demolition and urban redevelopment, shortening the building's lifespan, driven by short-term human-centred values (e.g. Miatto *et al.*, 2017; Wang *et al.*, 2018; Kotzé & Adelman, 2022; Huuhka, 2023).

This paper argues for granting buildings legal standing, to identify and recognize their intrinsic, instrumental, and relational values, and ensuring the inclusion of buildings and their broader range of stakeholders – human and non-human – in sustainable urban development. This approach resonates with calls for more inclusive and participatory

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planning processes, even if going beyond human stakeholders (e.g. Dąbrowski *et al.*, 2020; Rosetti *et al.*, 2022; Olsen, 2022).

Based on ecocentric legal theories (e.g. Burdon, 2011; Reeves & Peters, 2021; Haraldsdóttir Aspelund, 2023), this article proposes a novel framework for reimagining the built environment as a legal entity, underscoring the transformative potential of legally recognizing the rights of buildings as crucial for shaping more equitable, resilient, and sustainable cities.

The case for rights of buildings

Legal precedents

The legal recognition of rights for non-human entities has evolved significantly (Stone, 1972; Boyd, 2017; Kauffman & Martin, 2021), providing a baseline for considering the rights of buildings. Legal systems worldwide have acknowledged the rights of abstract or non-human entities, such as corporations, trusts, and natural attributes (e.g. Quinn & Arstein-Kerslake, 2012; Zimmer, 2017; Buocz & Eisenberger, 2023). Corporations, for instance, despite being artificial constructs, possess legal personhood, enabling them to sue, be sued, and own property. Similarly, environmental law has extended personhood to natural entities (Chapron *et al.*, 2019; Tănăsescu, 2022; Putzer *et al.*, 2022; Gilbert *et al.*, 2023), such as the Whanganui River in New Zealand and ecosystems under Ecuador's constitution, affirming their intrinsic values and right to exist. These precedents illustrate a shift from anthropocentric to ecocentric legal frameworks, recognizing the non-human entities' intrinsic values and roles within broader ecosystems (Carducci *et al.*, 2019).

Buildings align with this evolving paradigm shift, as buildings serve as habitats and integral components of urban ecosystems for human and non-human stakeholders, underscoring their vital role in sustaining cultural- and bio- diversity.

The protection afforded to listed buildings could be also understood as a legal precedent, further exemplifying an implicit recognition of their human-centred values. Heritage designations and related laws often grant listed buildings a form of 'standing', regulating the duties of human stakeholders – such as users, owners, developers, and planners – to conserve their cultural significance, attributes and values.

However, heritage designations predominantly prioritize buildings deemed culturally significant by experts, leaving unlisted buildings unprotected and their cultural significance unknown (e.g. Bai *et al.*, 2022; Spoormans, 2023; Lin, 2025). The need to extend legal standing to all buildings is urgent and important. This extension would address the disparity in the current urban planning system, ensuring recognition of a broader range of values, irrespective of human valuation and biases.

While Rights of Nature frameworks primarily apply to natural environments, extending these principles to other non-human stakeholders acknowledges the hybrid status of buildings. As both human-made artefacts and integral components of urban ecosystems, the rights of buildings bridge the human rights and the rights of nature, presenting a new frontier for legal and ethical discourse.

Ethical considerations

From an ethical standpoint, granting legal standing to buildings aligns with environmental ethics, emphasizing the intrinsic values of both natural and built environments (Keulartz & Korthals, 2014). Buildings have intrinsic values – conveyed in attributes such as materiality, durability, performance and form – that transcend the instrumental and relational values conveyed by human and non-human stakeholders. Recognizing these values implies a moral commitment of humans to their protection and conservation for present and future generations.

The concept of rights of buildings is further supported by rights theory (Rainbolt, 2006), which extends inherent rights to entities based on their cultural significance. Just as humans possess inherent rights, buildings embody human creativity and collective identity. This commitment stems from their contributions to human well-being and their role in shaping cultural identity.

Additionally, the ethical justification for building rights resonates with the commons theory (Vaccaro & Beltran, 2019). As shared resources, buildings are central to the ‘urban commons,’ demanding equitable, resilient and sustainable management, for the benefit of all. Recognizing the rights of buildings encourages a more holistic approach to urban development, ensuring that these resources are conserved and accessible to human stakeholders across generations.

Granting legal standing to all buildings addresses the implicit biases of heritage designations, which often limits conservation efforts to the few buildings, deemed as culturally significant by experts. In contrast, addressing all buildings equally, in line with the circular economy, could be crucial for closing and narrowing resource loops and when necessary, be mined to help reverse the growing scarcity of natural resources (e.g. Koutamanis *et al.*, 2018; Della Torre *et al.*, 2020; Al-Numan, 2024).

However, prioritizing material repurposing over building retention and reuse, sometimes under the guise of ‘green’ initiatives, risks disregarding the inherent values of buildings, potentially echoing unethical practices considered criminal in human rights contexts, such as murder and/or organ trafficking. Therefore, establishing a critical ethical boundary for genuinely justifiable building dismantling and material repurposing is essential, one that transcends purely human-centered values and avoids becoming a form of greenwashing.

By extending legal rights to all buildings, this novel framework promotes an inclusive and equitable approach to urban planning, supporting the longevity and sustainability of the built environment regardless of human valuation. This perspective aligns with the principles of sustainable urban development (Beatley & Wheeler, 2004). By acknowledging the diverse nature of buildings and their values, human-centred and beyond, humans can foster a more equitable, resilient and sustainable urban future that prioritizes the long-term well-being of cities and their stakeholders.

Theoretical framework

The relation between entities (nature, humans, and buildings) and their roles as rights holders and duty bearers can vary depending on the underlying ethical worldview (see Figure 1). While Ecocentrism would consider all relations within the theoretical

		RIGHTS HOLDER		
		NATURE	BUILDINGS	HUMANS
DUTY BEARER	NATURE	1. Rights of Nature	2. Buildings as rights holders Nature as duty bearers	3. Humans as rights holders Nature as duty bearers
	BUILDINGS	8. Nature as rights holders Buildings as duty bearers	9. Rights of Buildings	4. Human as rights holders Buildings as duty bearers
	HUMANS	7. Nature as rights holders Humans as duty bearers	6. Buildings as rights holders Humans as duty bearers	5. Human Rights
		Ecocentrism (1-9)		Autropocentrism (3-5)

Figure 1. Relation between entities (nature, humans, buildings) and roles (rights holder and duty bearer) in view of Ecocentrism (1–9) and anthropocentrism (3–5).

framework (1–9), encompassing a broader perspective where nature, buildings, and humans can all be considered rights holders and duty bearers, Anthropocentrism would focus on those relations where humans are defined as rights holders (3–5).

This novel framework aims to support the analysis and further theory-building on different ethical perspectives on the relationship between humans, buildings, and nature. It can be used to critically examine existing practices in architecture, urban planning, heritage planning and environmental law.

The current anthropocentric paradigms often fall short of recognizing and enforcing the rights of buildings in a comprehensive manner. **Figure 2** simulates the foreseen discrepancy by mapping the proposed ‘rights of buildings’ onto existing legal and policy frameworks and highlights how their application varies among buildings and is dependent on human-centred values. This framework proposes a range of rights of buildings, further introduced in the next chapters, in five main categories.

Buildings as right holders and nature as duty bearer

This category of rights of buildings explores the reciprocal relationship between buildings and nature. It recognizes that buildings, as part of the built environment, are inherently intertwined with nature and are dependent on natural resources and ecological processes throughout their lifespan, including construction and use.

For example, buildings have the right to use nature (2.5) such as sunlight, wind, and water for energy generation and passive cooling, principles directly supported and incentivized by Energy Efficiency Regulations and often integrated into Building Codes. This right underscores the importance of sustainable design strategies that

2. Buildings as rights holders and Nature as duty bearers	4. Humans as rights holders and Buildings as duty bearers	6. Buildings as rights holders and Humans as duty bearers	8. Nature as rights holders and Buildings as duty bearers	9. Rights of Buildings
2.1 Right to protection from natural decay [EL/PC] 	4.1 Duty to be created by humans [BC/IP] 	6.1 Right to maintenance/repair [HL/PC] 	8.1 Duty to not pollute/damage nature [EL/WR] 	9.1 Right to exist [HL/PC/ZP] 
2.2 Right to protection from natural disasters [CP/PC] 	4.2 Right to be owned as property [PC/ZR] 	6.2 Right to reconstruction/restoration [HL/ZP] 	8.2 Duty to not deplete nature [EL/CP] 	9.2 Rights to equal treatment among buildings 
2.3 Right to use nature as building products [EL/PC] 	4.3 Duty to supply safety and comfort [BC/HS] 	6.3 Right to improve/performance [BC/EE/HL] 	8.3 Duty to reuse/recycle/repurpose [DR/RL/WR] 	9.3 Right to relocate when at risk by humans/nature 
2.4 Right to make energy from nature [EE/EL] 	4.4 Duty to be used as habitat [BC/ZR] 	6.4 Right against vandalism [CL/PC] 	8.4 Duty to use biobased products [BC/CP] 	9.4 Right to legal representation 
2.5 Right to use nature (e.g. daylight, rainwater) [BC/EL] 	4.5 Duty to be changed [BC/HL/ZR] 	6.5 Right against demolition [HL/ZP/DR] 	8.5 Duty to be used as habitat [EL/BC] 	9.5 Right to legal protection [HL/PC] 
INT  INS  REL 	INT  INS  REL 	INT  INS  REL 	INT  INS  REL 	INT  INS  REL 
 ALL BUILDINGS  NO BUILDINGS  SOME BUILDINGS  NOT APPLICABLE		VALUES: INTRINSIC [INT] INSTRUMENTAL [INS] RELATIONAL [REL] BUILDING CODES [BC] CLIMATE PLANS [CP] CRIMINAL LAW [CL] ENVIRONMENTAL LAWS [EL] HERITAGE LAWS [HL] HEALTH & SAFETY REG. [HS] RECYCLING LAWS [RL] URBAN LAWS [UL] WASTE REGULATIONS [WR]		LEGAL FRAMEWORKS: DEMOLITION REG. [DR] ENERGY EFFICIENCY REG. [EE] INTELLECTUAL PROPERTY LAWS [IP] PROPERTY / CONTRACT LAWS [PC] ZONING AND LAND USE REG. [ZR]

Figure 2. Potential relation between the ‘rights of buildings’, current legal frameworks, duty bearers, and variation between buildings (no, some, all).

maximize the use of renewable energy sources and minimize reliance on fossil fuels, as mandated by various energy policies.

Buildings also have the right to use nature as building products (2.3), which requires a responsible approach to resource extraction and utilization, ensuring that the exploitation of natural resources does not harm the environment or compromise the long-term sustainability of these resources, considerations directly addressed and enforced by Environmental Laws and related sustainable forestry/extraction regulations.

Conversely, buildings also have the right to protection from natural disasters such as earthquakes, floods, and storms (2.2). While all buildings theoretically possess this right, indirectly benefitted through the human rights for security, the current implementation of building codes and disaster preparedness measures (often part of Urban Laws and regional planning) may prioritize critical infrastructure and state-owned buildings, potentially raising issues related to equitable protection and insurance coverage under Property and Contract Laws regarding insurance and liability. This disparity highlights that while nature’s unpredictability poses threats, inadequate human planning, building practices (regulated by building codes), and resource allocation contribute to buildings’ vulnerability, necessitating more equitable and resilient protective measures, potentially informed by climate change adaptation policies (Climate Plans).

Humans as right holders and buildings as duty bearers

This category of rights focuses on the relationship between buildings and humans, recognizing that buildings are created and shaped by human actions and are deeply intertwined with human activities and needs. It emphasizes the rights of humans to ensure that buildings are designed, constructed, and maintained in a way that respects human values and contributes to the well-being of both current and future generations.

One key right within this category is the duty to be created by humans (4.1). This duty underscores that buildings are deliberate creations shaped by human intention, expertise, and values. Building Codes exemplify this duty by establishing standards for various aspects of creation, such as material sourcing

(potentially influenced by Environmental Laws), structural integrity, and design style – reflecting human choices and societal priorities for the built environment. Furthermore, the Intellectual Property rights protecting architectural designs and engineering innovations legally recognize and safeguard the human contribution and accountability inherent in a building's existence, protecting the original concepts and technical skills invested in its creation.

Another important right within this category is the duty to supply safety and comfort (4.3). This right recognizes that buildings should serve the diverse needs and aspirations of humans by providing safe and comfortable environments. It emphasizes the importance of planning and designing buildings that are inherently safe, comfortable, accessible (often mandated by Building Codes and accessibility regulations), functional, and adaptable to evolving societal needs. This right places a shared responsibility on building owners, occupants, and policymakers – including those in planning – to ensure buildings are used and managed in ways that promote social equity in their supply of safety and comfort, a provision often directly regulated by Building Codes and Health and Safety Regulations.

Buildings as right holders and humans as duty bearers

This category of rights explores the profound influence of humans as duty bearers on the lifespan and uses of buildings. While their neglect shortens a building lifespan and use, timely interventions can expand their longevity for centuries, far beyond the generation that built them.

One key right within this category is the right to maintenance/repair (6.1). This right acknowledges that for individual buildings to function effectively and contribute to the built environment over their lifespan, they require regular intervention. Humans, including owners and relevant authorities, bear the duty to ensure buildings are maintained to prevent deterioration that could compromise their functionality and longevity. For instance, Heritage Laws often mandate the maintenance of listed buildings to preserve their structural integrity and ensure their continued presence, while Property and/or Contract Laws can outline responsibilities among stakeholders.

Another important right within this category is the right to improve performance (6.3). This right emphasizes the importance of enabling buildings to be renovated over time to better match evolving human needs and expectations. This includes ensuring adequate levels of comfort, safety, accessibility, and energy efficiency. This can be supported by Building Codes that set minimum performance standards, Energy Efficiency Regulations that encourage upgrades for reduced environmental impact, and even Heritage Laws that may guide improvements to listed buildings, which respect their cultural significance.

Nature as right holder and buildings as duty bearers

This category recognizes that buildings within the urban ecosystem bear a responsibility to minimize their environmental impact – encompassing both embodied carbon from material production and operational carbon from energy use – and to contribute

positively to urban nature, thus reciprocating for the natural resources consumed throughout their lifecycle.

One key duty is the duty to not pollute/damage nature (8.1). This encompasses the responsibility to reduce pollution of air and water, and to manage waste responsibly within the urban environment, as regulated by Environmental Laws and Waste Regulations. It also includes minimizing other forms of environmental damage associated with building operations.

The duty to not deplete nature (8.2) underscores the obligation of buildings to utilize natural resources efficiently, including energy and water, and to prioritize the use of sustainable materials (i.e. new, reused, repurposed and recycled) in their construction and operation, influenced by Energy Efficiency Regulations and Heritage Laws, as a way of reducing their draw on natural resources.

The duty to be used as habitat (8.5) emphasizes the responsibility of buildings to incorporate green features like green roofs and walls, and to create habitats for local flora and fauna, enhancing urban biodiversity as a form of 'payback' to nature, potentially encouraged by local Environmental Laws and Urban Laws.

Rights of buildings

This category focuses on the inherent rights and intrinsic values of buildings, emphasizing their inherent worth beyond being mere human-made artifacts or urban ecosystem components, analogous to human rights for humans and the rights of nature for nature.

One key right is the right to exist (9.1), challenging the assumption of unrestricted demolition and encouraging thoughtful urban redevelopment that considers the embodied energy and cultural significance of existing buildings, that could be potentially guided by Demolition Regulations and sustainability assessments.

Another important right is the right to equal treatment among buildings (9.2). This advocates for equitable consideration and protection for all buildings, regardless of age, architectural style, or designation. While Heritage Laws play a vital role in preserving culturally significant buildings, they also inherently endorse a system where selected buildings receive protection, potentially leading to unequal treatment compared to other buildings within the broader urban planning framework (Urban Laws). This right challenges this inherent inequality and suggests a more holistic approach to valuing the entire built environment.

Conclusions

The notion of granting legal standing to buildings may seem unconventional, yet it is a concept rooted in growing attention towards the cultural significance of the built environment and the predominance of human-centred values. By challenging traditional notions and practices in architecture and urban planning, an alternative path can be drawn toward a more inclusive, sustainable, and resilient future for cities.

As explored throughout this paper, buildings are not mere human-made artefacts. By recognising the rights of buildings, humans can strengthen their commitment to

decarbonising the built environment and promote sustainable urban development, where humans, nature, and buildings can be respected for their rights.

While there are undoubtedly challenges to implementing this vision, including the need for further research, public education, and significant legal and policy reforms, the potential benefits can be significant. Recognising the rights of buildings aligns with the principles outlined in the proposed theoretical frameworks, fostering a more holistic and equitable approach that values both human well-being and the environmental and cultural significance of the built environment.

Furthermore, just as discrimination against certain groups of people has severe social and ethical consequences, so can discrimination against certain types of buildings. Heritage planning, by principle, can only grow in diversity but can never be fully inclusive, as it will always remain a selection.

By prioritising the protection and conservation of all buildings, regardless of their age, style, or ownership status, we can create a more just and equitable built environment that can benefit all human and non-human stakeholders. It is time to reimagine the relationship between humans and the environment, nature and built as one ecosystem. By granting buildings legal standing, we can honour our past, safeguard our present, and empower future generations. It is time to embrace this bold proposition and work together to create a world where buildings are treated equally.

This paradigm shift will require a fundamental rethinking of current architecture, urban planning, heritage planning and environmental law paradigms, moving towards a more integrated and equitable framework that no longer makes urban conservation dependent on human-centred values.

Generative artificial intelligence (AI)

This paper was drafted with the assistance of Grammarly and Gemini 2.0 Flash. As English is not the author's native language, these AI language models were utilized for proofreading, editing, and stylistic refinement, to ensure clearer expressions of the author's intended content, arguments, and conclusions.

Disclosure statement

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