

The Time of Rights and the Time of States: Transcendent Temporality, Corporate Accountability, and Cosmopolitan Adjudication under SDG 16

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Abstract

This paper advances a philosophical argument about the relationship between human rights and time. Human rights, including those that impose obligations on transnational corporations, presuppose what this paper calls transcendent temporality. The concept of transcendent temporality designates a normative orientation to time-value that is non-contingent, non-instrumental, non-domestic, and not indexed to any particular historical moment. This temporal presupposition is constitutive of human rights rather than incidental to them. Rights that derived their authority from the political preferences of any particular majority, or the positive law of any particular state, would not be human rights in the morally relevant sense.

Yet the institutional architecture through which human rights obligations of transnational corporations are currently enforced operates on radically different temporal premises. National legal systems embody what this paper terms short-horizon sovereignty. By this is meant a form of political authority that evaluates institutional commitments through compressed temporal lens that privileges considerations of immediate costs and domestic advantage. The paper identifies three characteristic modes of this distortion: sovereign futurism (the reduction of political evaluation to immediate electoral and competitive calculation); sovereign archaism (the treatment of Westphalian territorial jurisdiction as a founding settlement immune to normative revision); and the circularity of sovereign self-assessment (a self-sealing framework that measures the adequacy of rights enforcement by reference to what national institutions can themselves deliver). Compounding all three is the production of non-redressable harm: temporal

deferral does not merely delay justice but actively forecloses goods whose protection the rights demand, generating losses no future accountability can repair. The gap between transcendent temporality and the compressed temporality of enforcement institutions is a constitutive incongruity at the level of normative foundations.

Recognizing this incongruity reframes the case for cosmopolitan adjudicative mechanisms. Such mechanisms are not pragmatic improvements on existing arrangements. They are instead the institutional implication demanded by the internal logic of human rights themselves. The paper further argues that such mechanisms should be oriented by the temporal virtues of humility, fidelity, patience, courage, hope, and teachability. Such virtues specify what it means to build institutions congruent with the rights they serve. The argument is developed through engagement with the natural law tradition of the School of Salamanca (r, 1991; Suárez, 1944), Kantian cosmopolitan jurisprudence, and SDG 16, situated within the Jesuit intellectual tradition and a time-value framework being developed in my larger book project.