

## HUMAN RIGHTS: BEDROCK OR MOSAIC?\*

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*Abstract* The professional literature reflects a wide divergence of conceptualizations of human rights, although practice assumes a normative code. Contrasted with previous social science research, in which individuals are assessed in terms of operationalized normative definitions, this study employs social constructionism and Q methodology, in which individuals rank culturally embedded propositions about human rights. Of 10 emergent accounts (factors) open to exegesis, 5 are reported and are approached as plausibility structures, internally consistent gestalts that reflect culturally sedimented worldviews.

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## BACKGROUND TO THE RESEARCH

In order to produce social change, it is often necessary to present political and moral issues in simple, slogan-like terms. An appeal to human rights often operates in this way. Because many abuses of people, like torture or imprisonment without trial, are very blatantly wrong, it can seem self-evident to condemn them and act against them in terms of human rights. Since the second World War, a number of international charters have attempted to spell out these rights in legal terms, specifying both freedoms from things like torture, and freedom of access to entitlements like a fair trial. Both in the past and more recently there is good evidence that human lives can be improved by using basic codes of human rights. There is the evidence of our own history over the abolition of slavery and the emancipation of women and of the effectiveness of organizations like Amnesty and bodies like the European Commission. For many people, the concept of human rights is one which they expect to continue to serve human betterment even if the problems we may face in the future are more complicated and harder to make unequivocal judgments about. Behind complicated and convoluted issues like "the right to strike" versus "the right to work," they still hope to find basic agreements about ideas concerning freedom and justice. This notion that at heart we all (perhaps excluding a few "extremists") agree about human rights basics is the position we call the *bedrock view*.

But how strong is the case for a consensus about basics? "Expert" analyses of the concept of human rights by philosophers and political scientists are full of disagreements, and some professionals opt for approaches to human welfare which avoid the concept altogether. In the same way, anthropologists tell us that different cultures and societies conceptualize human welfare in quite contrasted ways and that there is something very "Western" about our human rights approach. Even in a single country like England, altered circumstances can make ideas like "a right to work" take on quite changed meanings and importance. England itself is also changing politically and morally.

An obvious example is the increasing polarization between the Conservative and Labour parties and the emergence of a "three-party" system. Many current issues, like conservation, seem to cut across traditional divisions so that very "traditional" and very "radical" people can find themselves in agreement about "rights" to an unpolluted environment. Views about rights also seem to be becoming less universal and more "sectarian" in flavor, with special pleading for particular targets like "Animal Rights Activists," "Women's Rights Groups," "The Children's Rights Movement," and those pushing for positive discrimination for blacks. Looked at this way, one would expect there to be many ideas about rights operating in our society, each contrasted to the others. This is what we expected and we called this the *mosaic view*.

Social scientists have researched into rights in the past, much more so in countries like the United States, where social issues are almost universally seen as rights issues because of the U.S. Constitution. We are unhappy with most of this research because it tends to take the notion of rights for granted and to specify them in terms of their formal, legal or constitutional definition. We also feel that the research methods associated with these efforts encourage an approach which judges people by how well or how badly they measure up to what they "should" believe and do. These factors can yield research which gives a very biased picture of what people actually understand by human rights as well as expose social science to the charge of promoting a particular view of the issue. Rejecting this approach, we adopted a research method which positively promotes people's opportunity to put their own perspective across.

#### RESEARCH METHOD

Our aim was to explore understandings of human rights using Q technique, which we have been using for several years as a way of allowing people to express viewpoints in areas where a mosaic of perspectives might be expected.

A Q sample of 41 items was selected and balanced to

cover a variety of different ways of looking at the target idea of human rights. (A copy of the Q sample is available from the authors.) Fifty-seven participants were chosen because of their potential diversity of viewpoints, and included both "professionals" in the area of human rights and people with no special background. Each participant ordered the statements into a series of 11 piles from "most agree" through neutrality to "most disagree," placing a fixed number in each category. To find the variety of views expressed, each person's ordering was compared with everyone else's. What we found was that when we had allowed for people whose orderings were very similar, there were 10 contrasted views. The computer analysis also gave a measure of which participants came closest to expressing each particular perspective. From this we went back to the Q sortings these people provided to see exactly how they reacted to each statement in the sample.

#### FINDINGS

To give some indication of just how contrasted the various viewpoints were, the following shows the scores given to 4 of the 41 statements for the five best defined factors:

A	B	C	D	E	Civil rights should not be seen as automatic; one should earn and qualify for them by being a responsible citizen.
-5	0	5	-3	2	
-1	4	-5	-4	-4	My religion has been a major influence in the way I think about human rights.
3	3	-2	5	-4	If the notion of human rights means anything, it must apply to all of the people all of the time, regardless of their place in society or the nature of the situation they are in.
-5	-4	0	1	-5	All other things being equal, the rights of our own country people should

take precedence over the rights of those of other nationalities.

We used several checks to make as sure as possible that the way we described these various views was fair and undistorted. These included conducting interviews with some participants and also asking people to write down their reasons for reacting as they did to the statements. Finally we wrote a short precis of what each view seemed to be saying, and then asked the people concerned to correct this. It is these digests that are the heart of our results, and they also give the easiest and most economical way of summarizing our findings. The summary accounts for the five most clearly defined factors are as follows:

*Factor A.* It doesn't make sense to talk about rights as abstract ideals in isolation from their social and political contexts. The whole "rights" issue is fundamentally linked with issues of power and powerlessness. Those with economic, social or political power in a society (whites, men, the ruling class) ride roughshod over the rights of others; and those countries with most power internationally deny the fundamental human rights of other countries (e.g., self-determination). States or governments--not just in overtly repressive regimes but also in so-called liberal democracies--put their own ends over and above the rights of individuals, and this is clearly illustrated in the steady and insidious denial of human rights we are experiencing in Britain today, with censorship of the media, banning of trade unions, restrictive public order legislation and so on. We cannot decide who should have what rights without taking into account the power balance of the social system within which these rights operate.

*Factor B.* The basis of human rights lies ultimately in an unchanging moral law--prescribed by God, or Nature, or "natural justice"--which is derived from the inherent dignity and worth of the human person. Although many human rights are violated in many countries of the world much of the time, the basic concept

of human rights is universal and applies impartially to all members of the human family, crossing national barriers and transcending ideological and party-political persuasions. Human rights are inalienable and inherent--we have them simply because we are all human beings and we cannot be legitimately deprived of them under any circumstances. Although we cannot, of course, solve all the problems of humanity by recourse to human rights (the pain of birth and death are part of the human condition), we all have a moral obligation to defend and advance human rights, and to bear witness to the principle of equal and inalienable rights for all the peoples of the world.

*Factor C.* Although it becomes more complicated in practice, the basic code of rights is quite simple, based on straightforward notions of reciprocity like "do as you would be done by" and "to each according to their deserts." The essence of rights lies in this reciprocal relationship between rights and duties. Rights are inextricably associated with their corresponding duties and can only be defined in relation to them. Rights are not automatic entitlements from the State, but are benefits accorded citizens who both exercise those rights responsibly (with due consideration for the rights of others), and who also fulfill their duties to the community. It is only reasonable that those who fail in the exercise of their duties to society, or who are, for whatever reason, incapable of making proper use of their rights, should be deprived of those rights, either permanently or for an appropriate period. It is the reciprocal relationship between rights and duties that questions about rights entitlements must address.

*Factor D.* Except under conditions of national emergency, the State has no right to interfere with the private lives of individuals, and there are certain basic human rights--like freedom of religion, freedom of expression, and freedom of movement--that all societies should guarantee for all their citizens; this guarantee should be automatic, irrespective of any acts individual citizens may perform or fail to

perform. Although the idea of human rights has been manipulated and abused recently by extremist political groups in pursuit of their own ends, it has its roots in the simple rules of respect and toleration for others that are necessary if people are to live together in a community for everyone's benefit. These rules are translated into laws, and a democratic State or politically free police should defend us through the mechanism of this freely elected parliamentary law. Respecting human rights, then, means not infringing on other people's liberties, and abiding by the laws of a democratic society.

*Factor E.* While I would strongly support certain specific rights in specific situations, and could reconceptualize the term in such a way as to make it useful within my own belief system (e.g., in terms of collective rights), I think there are serious problems with the whole concept of "rights" as it is currently used. The notion of "rights" is a product of modern Western thinking, based on a holistic metaphysical conception of individuality and linked with the capitalist mode of production. The suggestion that this culturally and historically specific notion is eternal, universal, or somehow fundamental to the nature of humanity, serves only to reify an ideologically-bound, essentially contested and internally contradictory concept. In different cultures and in different historical and social contexts, "rights" are perceived --if perceived at all--in entirely different ways, and the imposition of a Western concept on the rest of the world is ethnocentric and rooted in the dominant position of Western nation-states in the world system. There are no ultimate or absolute "human rights," and it is naive to appeal to them without considering the implications and ramifications of the wider context in which they occur.

## CONCLUSIONS

Our interpretation is that the results support the idea of a mosaic of views about human rights rather than a bedrock. It seems hard to find any common

ground among all 10 factors, and in fact there was not a single statement among the 41 we used to which all the factors had the same reaction. But this does not mean that each view is in total conflict with each other view. We know, because we asked people, that many did find sympathy with different factors. Also, some participants' understandings of human rights were mixtures of more than one viewpoint, suggesting that they were able to reconcile two or more perspectives. On the other hand, most participants who we asked to comment on other views found some to which they reacted very negatively.

If there is a mosaic rather than a bedrock of agreement, what are the implications? The lack of any fundamental consensus may well concern those who see a broad coalition on rights as the basis for future furthering of human welfare, much as was the case in the past. But if society itself is moving toward a much more complex state--becoming in general terms a mosaic of views--then we probably need to rethink our approaches to human progress in this new climate. Processes of consultation and negotiation would need to become more developed in the face of a true diversity of views. Being able to articulate this pluralism, as techniques like the one used here make possible, could help in stimulating communication and mutual understanding. Human betterment can flourish through conflicts of ideas just as it can in a more consensual environment--the European renaissance is an obvious case in point. The difference tends to be that while a consensus can progress by appeal to agreed codes (like declarations of human rights), a social mosaic needs to progress in terms of respect for its human diversity.

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## RESEARCH IN PROGRESS: GROWTH MANAGEMENT

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Located on the eastern slope of the Rockies, home of the state's leading university, and within an hour of Colorado's major urban center--not to mention its clean air and 300+ days of sunshine annually--Boulder has had to face the same population-influx problems of other amenity-rich locales. In reaction to this pressure, the city fathers have sought to manage growth through the institution of various restrictions: Development rights to surrounding land are tightly controlled, for example, housing permits are held to 2% per year, and city water is not delivered above a certain elevation. Inasmuch as several of these measures are of arguable constitutionality, community debate has grown, and it is this controversy which this study seeks to examine.

Effects	Levels	N
Tasks	(a) goals (b) trends (c) conditions (d) projections (e) alternatives	5
Issues	(f) development (g) management (h) employment (i) land (j) housing (k) transportation (l) quality of life (m) promotion (n) power process	9

The 45-item Q sample was drawn from the community concourse, and structured as shown in the table above. The five intellectual *Tasks* of any problem situation are discussed by Lasswell (1971) and consist of (a) goal specification, (b) the tracing of past trends, (c) causal conditions of the current state of affairs,

(d) projection of present trends under the assumption that no changes will be made, and (e) the invention of alternatives. Among the nine *Issues* specific to the situation are (f) economic development, (g) growth management, (h) employment, and the others shown in the table. The  $5 \times 9 = 45$  combinations were represented by one statement each, as reported below.

The P set is expected to consist of approximately 35 citizens randomly drawn, plus 35 Boulder elites, including members of the Planning Commission and Council, city administrators, media representatives, and lobbyists. Q sorts will be administered during the summer, and it is anticipated that the results will be disseminated through the media.

### *References*

- Coke, J.G. & S.R. Brown (1976) Public attitudes about land use policy and the impact on state policy-makers. *Publius*, 6, 97-134.
- Lasswell, H.D. (1971) *A pre-view of policy sciences*. New York: American Elsevier.

### BOULDER GROWTH MANAGEMENT Q SAMPLE (factorial combinations shown in parentheses)

(1dh) Growth in the local economy will produce more and better jobs. (2aj) We should let the market determine the costs and types of housing in Boulder. (3ej) I support City subsidies for low-income housing in Boulder. (4ak) Something must be done about local traffic congestion and parking problems. (5dl) The quality of life will decline if Boulder becomes an undifferentiated part of the Denver metropolitan area. (6ck) Growth management policies account for much of the increase in commuting between Boulder and other cities. (7bg) Boulder's population has grown too slowly in recent years. (8af) Residential, commercial, and industrial growth must be balanced in Boulder. (9an) Opportunities for citizen participation in City and County decisions should be enhanced. (10cj) Restrictions on residential building permits have had little impact on the cost of housing in Boulder.

(11di) There are not enough large parcels of industrially zoned land to support future economic growth. (12df) The quality of life in Boulder will be a major asset in attracting new businesses. (13bi) Boulder already owns more than enough open space land. (14dm) Boulder's business image will count less than hard economic facts in the future of its economy. (15bn) Volunteer activists with little stake in the local economy are overrepresented in local politics. (16el) I support diversion of open space funds to other, more pressing needs of the community. (17eh) I support financial incentives from the City government to attract new employers. (18bj) The cost of housing has always been higher in Boulder than in nearby communities. (19cg) Growth is managed in Boulder because a substantial majority of the voters want it that way. (20cn) Support for local growth management policies could be eroded by chronic economic slow-down or recession.

(21eg) I support the assessment of impact fees on new construction to cover the full cost of public services. (22dk) Traffic congestion will grow in proportion to regional economic growth. (23em) I support efforts by the Chamber of Commerce to attract new businesses to Boulder. (24ai) People should have the right to develop their land without interference by government. (25dg) The City government will continue to limit the number of building permits for the foreseeable future. (26ag) The rate of population growth in Boulder should be allowed to exceed 2% per year. (27cm) Advocates of economic growth have done more than anyone else to publicize Boulder's anti-business image. (28ek) I support development of major highways to Longmont, the rest of the County, and the Denver metro area. (29ei) I support an amendment to the City Charter to ensure that only the voters can authorize the sale of open space land. (30ci) Comprehensive planning is necessary for land uses that are economically efficient and environmentally benign.

(31dn) Ordinary citizens find it increasingly difficult to understand how they will be affected by local decisions. (32bl) Maintaining "quality of life" means public interference in natural growth processes. (33bk) Most Boulder residents have been unwilling to

walk, bike, or take the bus to work. (34bf) "Economic development" means growth in the local economy--more people, businesses, and income. (35bh) Low-paying service jobs are replacing manufacturing, technical, and managerial jobs in the local economy. (36ef) I support the University's efforts to develop the East Campus research park. (37ch) Efforts to reduce the Federal budget deficit could result in massive layoffs at local research facilities. (38cl) Adequate City revenues for library, recreational and social services depend upon a growing economy. (39am) Boulder should expedite the review process for new construction. (40dj) Local housing prices will stabilize or decline if the local economy does not grow.

(41bm) Boulder's anti-business image is well-deserved. (42en) I support an amendment to elect City Council members by district, rather than at large. (43cf) Recent failures of local businesses are mainly a function of market competition. (44al) Preserving the quality of life in Boulder should be a major priority of public policy. (45ah) We must retain existing jobs in Boulder and replace the ones we lose.

## NEWS, NOTES & COMMENT

### *Recent and Forthcoming Publications*

William Stephenson, "Q-Methodology: Interbehavioral and Quantum Theoretical Connections in Clinical Psychology," in Douglas H. Ruben and Dennis J. Delprato (Eds.), *New Ideas in Therapy* (Westport CT: Greenwood Press). This volume is scheduled to appear in late 1986 or early 1987, and in his chapter, Stephenson indicates the way in which Q enters into Kantor's interbehavioral formulation for a psychological event (PE):  $PE = C(k, sf, rf, hi, st, md)$ , where k symbolizes that the segment is unique, sf stands for stimulus function, rf response function, hi historical connections, st the immediate setting, md the medium of the segment, and C indicates that everything within the brackets is interactional. Focusing on a single case--of