



PM GLYNN
INSTITUTE

**The PM Glynn
survey on
hope, trust
and belonging**

**Series 3
Trading off
human rights**

 **ACU**
AUSTRALIAN CATHOLIC UNIVERSITY

Trading off human rights

Three thousand respondents in the PM Glynn survey were asked if they were willing to trade-off particular human rights in order to achieve other social objectives. Specifically, they were asked about their willingness to accept the trade-offs between these human rights and these social objectives:

Human right

- The right to strike.
- The right to hold protest marches.
- The right to celebrate Christmas and Easter.

Social objective

- Avoiding economic loss or disruption caused by strikes.
- Avoiding violence breaking out amongst protesters.
- Not offending non-Christians who don't celebrate Christmas and Easter.

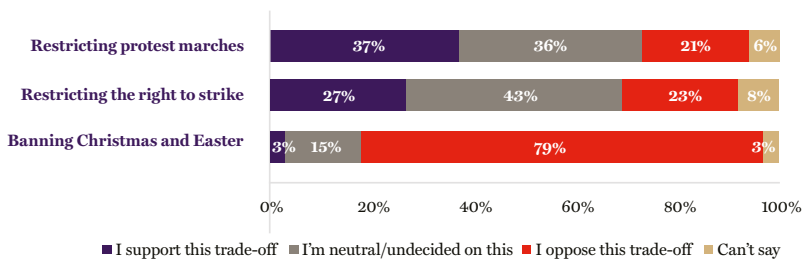
SUPPORT FOR TRADING-OFF THE RIGHT TO HOLD PROTEST MARCHES

To some extent the respondents were willing to trade-off the right to hold a protest march in order to avoid violence breaking out among protesters. More than a third of the respondents (37 per cent) were willing to accept this trade-off. The results are shown in Figure 1.¹

OPPOSITION TO TRADING-OFF THE RIGHT TO CELEBRATE CHRISTMAS AND EASTER

There was strong opposition to the banning of Christmas and Easter by schools and local councils out of concern that non-Christians might find them offensive. Seventy-nine per cent of the respondents opposed this trade-off.

Figure 1. Participants' level of support of trade-offs between rights and other social objectives (N=3,000)



¹ Percentages in tables and/or figures may not add to 100 due to rounding.

NEUTRAL TO RESTRICTING THE RIGHT TO STRIKE

Among the human rights listed, respondents were most neutral about restricting the right to strike. Forty-three per cent were neutral or undecided when asked about their willingness to trade-off this right in order to

avoid economic loss or disruption due to the strike.

What are the implications of these findings particularly in terms of social tension that sometimes arises due to the trade-off between certain human rights and other social objectives?

Managing social tension

Tension arises in societies in a number of ways that may lead to various forms of conflict. Sources of social conflict include violence, economic loss, and disputes about conflicting beliefs and offensive practices. Governments may try to alleviate these tensions by restricting or banning activities that give rise to conflict. This may involve trading off (or balancing) human rights.

ATTITUDES TO IMPOSING RESTRICTIONS AND BANS

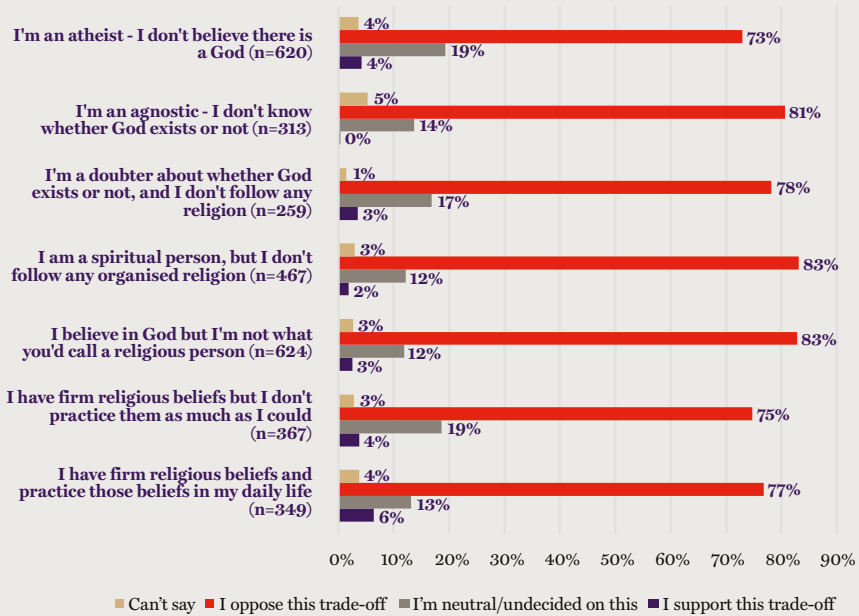
The survey reveals that while 37 per cent of Australians support restrictions on protest marches in order to avoid tension resulting from the risk of violence, and 27 per cent support restrictions on strikes in order to

avoid tension resulting from economic loss, 22 per cent of Australians oppose such restrictions.

In contrast, only three per cent support banning Christmas and Easter celebrations in public institutions in order to address tension arising from conflicting religious beliefs.

This strong opposition to banning Christmas and Easter celebrations suggests that the strength of religious adherence does not significantly influence attitudes to public celebrations of these religious festivals. This is shown in Figure 2. The opposition to banning Christmas and Easter celebrations was consistently strong across religious and non-religious groups.

Figure 2. Religious beliefs and banning Christmas and Easter celebrations



ATTITUDES TO MANAGING SOURCES OF CONFLICT AND OPTIONS FOR MANAGING CONFLICT

It is notable that Australians are significantly more opposed to bans on activities that might involve conflicting beliefs than they are opposed to restricting activities that might involve violence or economic loss.

Further investigations are required in order to determine why this is the case.

- Are Australians more strongly opposed to outright bans than the imposition of restrictions?

- Are Australians more concerned about the kind of social tension that bans and restrictions seek to avoid, or are they more concerned about the freedom that will be curtailed in order to avoid social tension?
- Are Australians more willing to curtail freedom when this involves freedom to hold conflicting beliefs than they are to curtail freedom when this involves the freedom to withdraw labour or the freedom to demonstrate one's political convictions?

NEUTRALITY AND SUSCEPTIBILITY TO CHANGING ATTITUDES

The survey reveals that on average 39 per cent of Australians feel neutral about restricting protests and strikes in order to reduce violence or economic loss, whereas 15 per cent feel neutral about banning Christmas and Easter celebrations in order to address tension that might arise as a result of conflicting religious beliefs.

This means that Australians are almost thrice as likely to feel neutral about restricting protests and strikes for the sake of avoiding economic loss or violence, as they are to feel neutral about banning Christmas and Easter celebrations in public institutions in order to avoid conflict about religious beliefs or practices.

This suggests three possibilities:

- that it is easier to shift attitudes to restrictions on activities giving rise to social tension than it is to shift the attitudes to bans on such activities
- that it is easier to shift attitudes to protests and strikes than it is to shift the attitudes to Christmas and Easter celebrations
- that it is easier to shift attitudes to protection of freedom where violence or economic loss is involved, than where the protection of freedom involves conflicts of belief or religious practice.

These sorts of questions will be explored further in subsequent papers in Series 3.

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This PM Glynn Survey Series 3 has been developed as part of the institute's 'The End of Human Rights?' Work Stream, which undertakes a careful assessment of what is happening in the current understandings and uses of human rights.

Series 3 has been prepared by Damien Freeman and Dr. Cris Abbu in collaboration with Dr. Michael Casey.

Cover image

Robert Moore, Boronia Road 2016
Oil and enamel on board
Australian Catholic University
Art Collection

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