

## Chapter 16

# *Values, Rights, and Responsibilities*

**H**uman behavior is clearly influenced by many factors that are extended in space and time. Typically, these factors can be counted, measured, or weighed. For example, people respond to environmental cues like lights or tones that signal the availability of certain material consequences, like food when they are hungry, water when they are thirsty, warmth when they are cold, or safety when they are threatened.

In other cases, human behavior is said to be influenced by other, more abstract factors, not discretely extended in space and time. For example, humans are often said to make value judgments and be guided by them. But what exactly are values and value judgments? According to a traditional argument, values and value judgments are often explicitly held to be the type of things that are not behavioral, or indeed, part of the world of "facts." Facts are extended in space and time and can be counted, measured, or weighed. By definition, values are not held to be extended in space and time. As such, the traditional argument goes, values cannot be counted, measured, or weighed. Because human behavior is held to be influenced by values, and values are held to be not extended in space and time as facts are, the argument is that values cannot be part of a scientific analysis of any human behavior they influence. Indeed, the traditional argument takes it for granted that the analysis of any human behavior that involves scientific principles is always going to be at least incomplete, if not entirely inadequate, precisely because it cannot accommodate such things as values and value judgments. Values and value judgments are assumed to lie in another domain, beyond the domain in which behavior takes place. As a result, the traditional argument goes, human behavior needs to be analyzed in the type of terms found in philosophy or theology, rather than a natural science.

As we will see in this chapter, behavior analysts suggest the premise of the argument is incorrect. Concerns about *values, value judgments, rights, and responsibilities* have everything to do with the domain in which behavior takes place. A scientific analysis of human behavior is indeed possible, including those instances of behavior that are said to be influenced by values, rights, and responsibilities. How then do behavior analysts accommodate these more abstract concerns? We begin by analyzing what is at issue when people speak of values.

## Values as Reinforcers

For behavior analysts, the term *value* may be understood as a summary term that identifies the type of reinforcers that are effective for a particular person (Skinner, 1971). In some cases, the reinforcers are material objects. Money, new cars or designer labels on clothes are examples. For instance, some individuals allocate a great deal of time and effort in pursuit of more money, newer cars, fancier jewelry, or more clothes with designer labels. We sometimes disparage these individuals by saying they have materialist values.

In other cases, the reinforcers are activities to which one gains access. Some examples here are recess activities at school, video games, or perhaps even some leisure activity, like engaging in a hobby. Here, we say that someone values playing golf because doing so is reinforcing. In exceptional cases, the activities might involve opportunities to help others, such as working on a community recycling project or in a soup kitchen. Here, we might say that someone has humanitarian values.

In still other cases, the reinforcers are more abstract. Social justice, world peace, freedom from poverty, and freedom from disease are four representative examples. In these cases, we say individuals value social justice when they engage in behavior that promotes equal treatment for all citizens, without regard to the color of their skin, the shape of their eyes, their ethnicity, their sexual orientation, or their religion. We say individuals value world peace when they work for it. We say individuals value prosperity when they advocate it, for example, through particular fiscal or monetary policies. We sometimes applaud these individuals by saying they have idealistic values.

*Value judgments* are somewhat different. They involve choice between reinforcers and the patterns of behavior they promote at the several different social and temporal contexts at which they influence our lives. We make a value judgment when we forgo some immediate tangible benefit for the sake of some longer term benefit for the larger social group, such as not purchasing an item of convenience because purchasing it contributes to degrading the environment in the long term.

We now need to elaborate on the position that values relate to reinforcers. As we discussed in Chapter 15, money is presumably the reinforcer for robbing a bank. Do we mean that bank robbing is justified, or that bank robbing is good and therefore acceptable because it is based on values? If reinforcers can be said to be what is good, is any kind of operantly reinforced behavior then to be regarded as justifiable, good, and the result of values? Obviously, to say that bank robbing is justifiable because it is reinforced operant behavior and the reinforcers are based on values is nonsense. How then can we reconcile a stance that values and what is good relate to reinforcers, with our obvious distaste for bank robbers?

When we use the term values to identify what is reinforcing, we aren't saying that what is reinforcing should be regarded as good for all persons at all times. We can usefully refer to the frame of reference as presented in Chapter 15 on ethics. Although robbing a bank may well produce reinforcers—money—for the bank robber in the short term, robbing a bank is certainly not justifiable for the robber in the long term—the robber can be caught and sent to prison. Robbing a bank is certainly not justifiable or reinforcing or a value for anybody else in the short term or in any other temporal context. Thus, robbing a bank is something that cannot be condoned because it has a harmful impact on other individuals (account-holders, the social group, the culture), regardless of the temporal context (short term, intermediate term, long term). As before, an assessment of the consequences of behavior in a frame of reference provided by the temporal context of the behavior allows a clearer understanding of what values mean, and of when it is or is not useful to subject behavior to certain contingencies designed to modify its frequency.

## Rights

Hand in hand with values are rights. For example, in the Declaration of Independence in 1776, Thomas Jefferson asserted that citizens possess certain “unalienable rights, among them life, liberty, and the pursuit of happiness.” These rights may be taken to represent a set of values for Caucasian males of the time. These men were seeking to form a democratic style of government as they envisioned it, even though some of them held slaves. Treatises in political philosophy have linked the emerging position to writings of the English philosopher John Locke as well as others. The issues of slaveholding and women’s suffrage may well limit our appreciation of Jefferson and the generality of his assertions. Nevertheless, only a few years after the new US Constitution was adopted, 10 amendments were added. Collectively, these amendments are known as the Bill of Rights. More amendments have been added since. An important question for us is, What does the term rights mean?

For behavior analysts, the term *rights* relates to cases in which a governmental entity or individual *A* constrains certain practices in which individual *B* can engage; the constraint then evokes countercontrol from *B*. The “certain practices” of *B* that were constrained constitute “rights.” As mentioned in Chapter 12, countercontrol is a generic term that roughly means resisting. The resisting can take a form ranging from simple dispute to outright revolt. It is the “push back” to the “push” of constraint. The countercontrol may be understood as negatively reinforced operant behavior. For example, humans have presumably evolved in a way that makes being subjected to tyranny, oppression, and exploitation aversive. Consequently, tyrannical exploitation of citizens by a government will bring about revolt by the citizens who will escape from the old form of government and replace it with a new form of government. History provides numerous examples. American colonists (*B*) began to revolt against the King George III of England (*A*) in 1775. French citizens (*B*) revolted against King Louis XVI and the French aristocracy (*A*) at the end of the 18<sup>th</sup> century. Russians (*B*) revolted against Czar Nicholas II (*A*) early in the 20<sup>th</sup> century.

The language of the Declaration of Independence asserted that certain classes of individuals then living in what were to become the United States had an unalienable right to life, liberty, and the pursuit of happiness. Before the Revolutionary War, these individuals had to face sanctions in the legal system without due process. After the War, they no longer had to. Before the War, these individuals had to pay taxes to a government without being represented in the legislative decisions to levy those taxes. After the War, they no longer had to. The principle here is not that *A* (King George III) can arbitrarily and unilaterally extort resources or privileges from *B* (American colonists), and then attack *B* when *B* does not provide them. That may well happen, but the situation does not appropriately involve *A*’s rights, though monarchs customarily asserted it did. For behavior analysts, the situation does not involve rights because the attack is not a function of aversiveness brought about by any constraint of *A*’s behavior: *A* has no right to extort anything from *B*.

## Responsibility

Hand in hand with the concept of rights is that of *responsibility*. To what then does responsibility relate, according to the point of view being developed here? In some traditional accounts, such as found in various forms of philosophy, responsibility has a moral connotation derived from a system of rights and values, where those terms are viewed as having nothing to do with behavior. However, as we have seen, the terms rights and values have everything to do with behavior. So also does responsibility.

In a sense that may seem rather trivial, the term responsibility sometimes identifies simply the person who has engaged in a given form of behavior. For example, suppose the doorbell rings, and both *A* and *B* are in the room. Suppose *A* answers the door, rather than *B*. In a descriptive sense, question may be raised as to who was responsible for answering the door. This is a question in the past tense about who did answer the door. The answer is *A*, rather than *B*.

Another sense of responsibility is more involved, and doubtless more significant. Again, suppose the doorbell rings, and both *A* and *B* are in the room. In this case, suppose a competent authority has assigned *A* the task of answering the door, rather than *B*, and *A* has agreed to do so. Here, question may be raised as to who is responsible for answering the door. The question is in the present tense. As before, the answer is *A*, rather than *B*.

The contingency under which *A* answers the door in the second case differs from that of the first case, however. In the second case, recall that a competent authority charged *A* with answering the door, and *A* agreed to do so. Presumably the competent authority can administer one consequence when *A* does carry out the task (“praise”) and another consequence when *A* does not (“blame”). Presumably the ability to administer these consequences has some bearing on whether *A* actually does answer the door, beyond the consequence of meeting or avoiding whoever is at the door. Thus, this sense of responsibility is about the relation between two parties: *A* and the competent authority. *A*’s agreement with the competent authority means that *A* *should* answer the door if *A* is to gain the approval or avoid the rebuke of the competent authority. The sense of “should” pertains to *A*’s behavior in relation to any reinforcing or punishing consequences the competent authority administers. Importantly, the context for the behavior involves relations in the environment, rather than some nonbehavioral (i.e., moral) principle according to which *A* is assumed to behave.

## Jurisprudence

Our system of laws assumes that individuals have free will and know right from wrong as a moral issue at the time of any action. If the individuals nevertheless break the law, they are deemed responsible for their behavior, and subject to punishment by a governmental authority. Indeed, the notion of responsibility is especially likely to be invoked when contingencies of punishment are involved. Common rationales for punishment range from retribution (“an eye for an eye”) to deterrence (“teach them a lesson so they won’t do it again”). For example, from a standpoint that assumes free will, an individual could rationally choose to refrain from the punishable behavior, thereby avoiding the pain or inconvenience. Indeed, punishment as retribution is often predicated on an assumption of free will. Apart from questions of free will, if the goal is to reduce the rate of the punished behavior, one legitimate question is whether punishment is actually an effective procedure for doing so, when compared with such other procedures as modifying the underlying reinforcement contingencies.

A second legitimate question concerns the principle of determinism. If behavior is determined, then the individual’s behavior in the first place was not the result of free will. Rather, it was the result of various causal factors that existed at the time of the behavior. For behavior analysts these causal factors are related to the environmental circumstances of the individual’s life. Could the individual have done otherwise? If not, wouldn’t the administration of punishment after the fact be ineffective? Are we ever justified in punishing? Doesn’t any administration of punishment risk producing countercontrol, as described earlier in this chapter? These matters are complex. We can point out that a punishing consequence reduces the future probability of behavior, just as a reinforcing consequence increases it. Thus, the delivery of a punishing consequence for breaking the law reduces the

probability that the individual will break the law in the future. The punishing consequence becomes part of the life history of the individual who breaks the law, presumably in a way that reduces the probability of the illegal behavior in the future. After all, the individual continues to live after engaging in the punishable behavior. In addition, the law becomes part of the culture, such that others are influenced by the delivery of punishers to the one individual. As such, the delivery of punishers to transgressors can contribute to the discriminative control of the behavior of others.

At least three other considerations are relevant when we contemplate the use of punishment. One is whether punishment is even going to be effective. For example, punishment is not ordinarily administered when an individual is judged to be "insane." However, the concept of insanity comes from legal theory, not behavioral theory. According to a traditional viewpoint, judging whether someone is insane typically turns on whether the individual has the capacity to tell morally and legally right from wrong at the time of the action. If the individual cannot distinguish what is morally and legally right from wrong at the time of the action, the action is not ordinarily punished.

For behavior analysts, it is an empirical question whether punishing the behavior of individuals who are classified as insane is going to deter their actions, in the sense of reducing the future probability of the punished behavior. If an individual's repertoire and life circumstances are so dysfunctional that the punishment will not reduce the future probability of the behavior in question, the action is not punished. This does not mean that some action should not be taken toward the individual. Perhaps the individual should be removed from contact with others in society, for the protection of all.

A second consideration is in cases where punishment is going to be effective. Will another means of reducing the probability of breaking the law be even more effective? Even when punishment is effective, that effectiveness typically comes at a cost. For example, the following are common liabilities of using punishment to control behavior:

1. Punishment is a destructive process, rather than a constructive process. In everyday language, punishment only tells an organism what not to do, rather than what to do.
2. Punishment creates hostility toward individuals who administer punishment. When was the last time we felt warm and friendly thoughts toward the individual who gave us a parking ticket?
3. Punishment justifies aversive interactions and inflicting pain. Punishment then becomes an instrument of exploitation and coercion, rather than education and instruction.
4. Punishment may only create avoidance of situations in which punishment is administered. Any reduction in the punished behavior is only an artifact of avoiding situations in which punishment can be administered, or avoiding engaging in the punished behavior when the agent delivering the punishment is present.
5. Punishment does not ordinarily change behavior in the long term unless supporting reinforcement contingencies are also changed. The punished behavior is present to be punished for a reason. The reason is that it is also being reinforced. If we seek to modify behavior, we do well to also modify the reinforcement contingencies that are simultaneously maintaining the punished behavior.
6. Punishment may evoke emotional stress and anxiety in any situation in which it is administered. As a result, punishment may disrupt many different forms of behavior, including unpunished forms, and be counterproductive in the long term.

A third consideration is the process for determining whether the punishment would be delivered. Consequences are most effective when they are delivered swiftly and with high probability after a response. However, consider the case of a crime that has been committed, and which society wants to punish. First, society needs to be sure the actual criminal has been apprehended. Second, society needs to be sure that due process is followed in a court of law. On the one hand, all of this delays the punishment, and the delay reduces its effectiveness. On the other hand, society cannot make the legitimate conviction of the guilty easier and more immediate without also making the inadvertent conviction of the innocent more likely. Most theories of jurisprudence argue for balancing individual rights against societal rights. Court decisions serve to resolve ambiguous cases by providing discriminative stimuli for future actions by society.

## Summary and Conclusions

Values, value judgments, rights, and responsibilities are all behavioral matters. In particular, values concern reinforcers. Things we value are things that are reinforcing to us. Value judgments concern choice between reinforcers or patterns of behavior that particular reinforcers promote. Rights and responsibilities are matters of behaving under the influence of particular forms of social organization. Rights pertain to practices that when constrained evoke countercontrol. Responsibilities pertain to standards of conduct that when met are subject by mutual agreement to certain consequences, and when not met are subject to different consequences. The ability of a government to punish those who break laws needs to be balanced against the possibility of punishing the innocent and disrupting social cohesion. As with ethics, the full social and temporal contexts of social behavior need to be examined to understand whether that social behavior contributes to the welfare of the larger social group.

## Reference

Skinner, B. F. (1971). *Beyond freedom and dignity*. New York: Knopf.

## Key Terms and Concepts

values

value judgments

rights

responsibilities

materialist values

humanitarian values

idealistic values

## Study Questions

1. Briefly describe the traditional distinction between facts and values.
2. For behavior analysts, to what does the term values relate?
3. For behavior analysts, what does it mean to say an individual has materialist values? Humanitarian values? Idealistic values?

4. For behavior analysts, to what does the term rights relate?
5. For behavior analysts, to what does the term responsibilities relate?
6. What is the sense of "should" that relates to behavioral contingencies?
7. According to a traditional viewpoint, what criterion is used to judge whether someone is insane?
8. Briefly describe three relevant considerations when the use of punishment is contemplated.
9. Briefly describe the six liabilities of using punishment to control behavior.