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Love in action

A deductive content analysis of Martin Luther King Junior's conceptualization of human rights

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Abstract (English)

The purpose of this thesis is to investigate the role and contribution of Martin Luther King Junior within the field of human rights, with a focus on how Martin Luther King Junior expressed his understanding of the concept of human rights from different perspectives. The purpose of the thesis is focused by the formulation of a research question that centres around Martin Luther King Junior's conceptualization of human rights. To answer the research question, four texts of Martin Luther King Junior are analyzed with the use of a deductive content analysis that uses Brian Orend's theories of the concept of human rights as the theoretical framework. The findings and results of the investigation are that Martin Luther King Junior conceptualized human rights in various different ways, and this is presented through the coding and sorting of his ideas under the three methodological categories created from Orend's theoretical framework: a philosophical understanding of human rights, human rights in reality and the fulfillment of human rights.

Keywords: Martin Luther King Junior, human rights, love, agape, nonviolence, universality, generations of rights, fulfillment of rights.

Abstract (svenska)

Den här uppsatsen undersöker Martin Luther King Juniors roll inom och bidrag till fältet för mänskliga rättigheter, och syftet med uppsatsen är att undersöka och analysera hur Martin Luther King Junior uttryckte sin förståelse för mänskliga rättigheter som ett koncept. För att uppfylla uppsatsens syfte har en frågeställning formulerats som centrerar kring Martin Luther King Juniors konceptualisering av mänskliga rättigheter. För att svara på frågeställningen har fyra texter av Martin Luther King Junior valts ut och analyserats genom en deduktiv innehållsanalys som utgår ifrån Brian Orends teorier om konceptet mänskliga rättigheter som det teoretiska ramverket. Resultaten och slutsatserna av den deduktiva innehållsanalysen är att Martin Luther King Junior konceptualiserade mänskliga rättigheter på flera olika sätt. Dessa olika sätt är sorterade och presenterade under tre metodologiska kategorier framtagna från Orends teoretiska ramverk: en filosofisk förståelse för mänskliga rättigheter, mänskliga rättigheter i praktiken och uppfyllandet av mänskliga rättigheter.

Nyckelord: Martin Luther King Junior, mänskliga rättigheter, kärlek, agape, ickevåld, universalitet, generationer av rättigheter, uppfyllandet av mänskliga rättigheter.

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1 Introduction

This analysis will investigate Martin Luther King Junior's (MLK from here on) relationship to and role within the paradigm of human rights. I think it is a relevant field to study since there is a lot of existing literature that centers around MLK's role and achievements within a US national framework especially within the African-American population's struggle for civil rights, the so called civil rights movement (CRM from here on), in the 1950s and 1960s in the US.¹ The legacy of MLK extends beyond his contributions to the CRM and includes engagement and statements within a variety of questions ranging from the housing conditions in the US, the US involvement in the Vietnam War, to the anticolonial struggles in Africa and the importance of decolonization.

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As will be shown in the previous research section, many people consider MLK to be an important figure, sometimes even a symbolic figure, within the field of human rights. I agree with most people that MLK was someone who fought for human rights, but I believe that the human rights concept, as well as the titling of figures as human rights activists, are often used arbitrarily and are assumed self explanatory. I believe that it is interesting to consider MLK's conceptualization of human rights both as a literal concept used rhetorically and in the everyday language of people, but more importantly how he defined the concept of human rights as a philosophic and historic idea.

¹ Verney, Kevin. *Black civil rights in America*. London: Routledge. 2000. p. 52. Sitkoff, Harvard. *The struggle for black equality: 1954 - 1992*. Foner, Eric (ed.). Rev. ed. New York: Hill and Wang. 1993, p. 53-54. Brooks, Thomas R. *Walls come tumbling down: a history of the civil rights movement - 1940-1970*. US: Prentice-Hall. 1974, p. 138.

² Jackson, Thomas F. *From civil rights to human rights: Martin Luther King Jr. and the struggle for economic justice*. Philadelphia: University of Pennsylvania Press. 2007, p. 1. and Richardson, Henry J. III. Dr. Martin Luther King, Jr. as an International Human Rights Leader, *Villanova Law Review*. Vol. 52. No. 3. 2007, p. 471-472.

1.1 Purpose and research question

The purpose of this thesis is to understand MLK's role and contribution within the field of human rights, and more specifically to understand his contributions to the concept of human rights and to the strategies for the fulfillment of human rights. A research question has been formulated in order to fulfill the purpose of the thesis:

How does MLK conceptualize human rights?

By answering the research question in the analysis of the thesis, the purpose of understanding MLK's contributions to the concept of human rights and the strategies for the fulfillment of human rights can be met.

1.2 Primary Material

The primary material for this investigation consists of several written texts and statements from MLK. There is a vast collection of the written records of MLK's statements throughout his political career. James M. Washington is one of several that has worked on establishing many of MLK's statements into a single collection, available for public access. In his edition called "A Testament of Hope - The Essential Writings of Martin Luther King Jr"³ Washington has collected and edited over 50 different statements made by MLK. After a review of the collection as a whole, three texts from the collection plus one chapter from one of MLK's own books were chosen for this investigation. The four texts vary in volume from seven to seventeen pages and the small selection of texts was made in order to be able to analyse the content of the four texts in depth in the investigation.

³ King, Martin Luther, Jr. *A testament of hope: The essential writings and speeches of Martin Luther King, Jr.* 313-328. Washington, James M. (ed.). 1st paperback ed. New York: HarperOne. 1991.

The primary material has been selected by looking at different relevant factors. Firstly, there is a time scope that has been considered when selecting the texts. MLK had a political career that extended for a time period of over ten years, from the mid 1950s to the late 1960s.⁴ In order to answer the research question, how MLK conceptualized human rights, texts needed to be chosen from different years throughout his career and needed to provide a relevant scope over time. In order to answer the research question *How did MLK conceptualize human rights?* in a way that is representative of MLK's political career, there needed to be a spread in what years the texts chosen as primary material were from.

Starting in a chronological order, the first text of MLK that will be analysed in this investigation is an article called "The Current Crisis in Race Relations" from 1958 and published in Washington's collection.⁵ The second text used as primary material is the chapter "Pilgrimage to Nonviolence" from MLK's book *Stride towards freedom; the Montgomery story*, also published in 1958.⁶ The third text is "Hammer on Civil Rights" from 1964, also published in Washington's collection but originally published as the fourth annual report of the civil rights struggle.⁷ The fourth and last text chosen is the essay *A testament of hope*, written in 1968 and published posthumously.⁸ All of the chosen statements of MLK for this investigation are statements that from the beginning were written texts. It was a deliberate choice not to include any speeches or spoken statements as primary material since that would require attention being paid to the audience and more contextual background to the deliverance of the texts and this is outside the scope of the investigation. As described above, all of the four texts chosen were written words from the start (compared to transcripts) but they differ in type of written text: an essay, an article, a book chapter and a report is chosen. The variety within the selection of primary material was chosen with the aim of getting a more representative picture of how MLK's conceptualization of human rights was expressed in written texts.

⁴ Verney, *Black civil rights in America*, p. 52-53.

⁵ Washington, *A testament of hope: the essential writings and speeches of Martin Luther King, Jr.* p. 1 (table of contents) and p. 85.

⁶ King, Martin Luther, Jr. *Stride toward freedom; the Montgomery story*, New York: Harper & Row Publishers. 1958.

⁷ Washington, *A testament of hope: the essential writings and speeches of Martin Luther King, Jr.* p. 1 (table of contents) and p. 169.

⁸ Washington, *A testament of hope: the essential writings and speeches of Martin Luther King, Jr.* p. 1 (table of contents) and p. 313.

2 Background and previous research

2.1 Background

MLK's political career started as the appointed leader of the Montgomery bus boycott - a boycott protesting against white supremacy that was spurred by the act of resistance of Rosa Parks and lasted for over a year between the years 1955 and 1956.⁹ MLK came from a relatively wealthy background and had studied to become a Church Minister to follow in his father's footsteps.¹⁰ Sitkoff comments on MLK educational background: "King, one of six blacks in a student body of one hundred, happily immersed himself in the world of ideas, particularly the philosophy of Kant, Hegel, the religious existentialists, and Walter Rauschenbusch's social gospel."¹¹ These philosophical ideas of MLK will be further analyzed in this investigation. MLK later became leader of the organization Southern Christian Leadership Conference and would furthermore be considered the leading figure within the whole CRM, attracting support from both the black and white population in the US.¹²

To investigate the role of MLK within a human rights framework is of value because the time period of MLK's political career, the 1950s and 1960s, is a time period within the human rights discourse that has not been extensively researched on.¹³ Jensen and Burke argue for the need for further research on the role of human rights in the 1960s and 1950s and they argue that

⁹ Sitkoff, *The struggle for black equality: 1954-1992*, p. 37-41.

¹⁰ Sitkoff, *The struggle for black equality: 1954-1992*, p. 42.

¹¹ Sitkoff, *The struggle for black equality: 1954-1992*, p. 42.

¹² Sitkoff, *The struggle for black equality: 1954-1992*, p. 56.

¹³ Jensen, Steven L.B. and Burke, Roland. "From the normative to the transnational: methods in the study of human rights history", in *Research methods in human rights: a handbook* (E-book). Andreassen, Bård-Anders and McInerney-Lankford, Siobhán Alice (ed.). UK: Edward Elgar Publishing Limited, 2017. p. 123.

this time period is essential to the development of the human rights discourse.¹⁴ They express in relation to studies within the human rights field that “The intent-based narrative has undergirded a progressive narrative for human rights and overdue attention to a ‘canon’ of human rights sources linked to the Universal Declaration of Human Rights and the Human Rights Covenants.”

¹⁵ It can be understood from this quote that Jensen and Burke advocate research on the role of human rights in the decades including the 1950s and 1960s that extends beyond the human rights declarations and treaties set up by the UN.

2.2 Previous research

Jackson has written a comprehensive book that presents and analyses the career and ideas of MLK: “From civil rights to human rights - Martin Luther King Jr. and the struggle for economic justice”. The main purpose of the book is to demonstrate that MLK's career and activism extended far beyond his engagement within the civil rights movement in the US. Jackson argues that MLK's ideas and actions were highly important both as a leader of the CRM but also that he contributed to a broader global struggle for rights during his political career.¹⁶ Jackson's work is relevant to this investigation because it focuses on MLK's role and importance both within the African-American struggle for civil rights and within a wider context of rights struggles globally during the 1950s and 1960s. As the title reveals, Jackson explicitly brings the concept of human rights into the discussion of MLK's career and ideas. Jackson argues that MLK often framed his political ideas and demands for change within a global human rights framework.¹⁷

Richardson highlights MLK's struggle for economic rights for the African-American population (and other economically marginalized groups) in the US. Richardson also argues that

¹⁴ Jensen and Burke, “From the normative to the transnational: methods in the study of human rights history”, p. 123.

¹⁵ Jensen and Burke, “From the normative to the transnational: methods in the study of human rights history”, p. 123.

¹⁶ Jackson, *From civil rights to human rights - Martin Luther King Jr. and the struggle for economic justice*, p.1.

¹⁷ Jackson, *From civil rights to human rights - Martin Luther King Jr. and the struggle for economic justice*, p. 1 and 5.

MLK framed economic rights in terms of human rights during his last years.¹⁸ The concept of human rights is not only linked to MLK's struggle for economic rights but also civil rights. According to Richardson, MLK considered the conflict between a civil rights framework and a human rights framework to be faulty - MLK argued that the two frameworks should be considered part of the same discourse of irreplaceable rights.¹⁹

Jackson challenges some previously accepted research on MLK by showing a different and more radical side of MLK's visions and ideas. Verney, in contrast to Jackson, argues in his historiography of the black civil rights struggle in the US that there is an overemphasis on the role of MLK within the CRM and the struggle for freedom for the African-American population.²⁰ While he acknowledges the important work that MLK contributed to the struggle, Verney questions the heightened status and importance that MLK was, and still is, perceived as having within the CRM. Verney argues that MLK had flaws that should not be overlooked (for example Verney claims that MLK plagiarized many sections in his dissertation) and that the CRM should not be considered to have started and ended with the activism and engagement of MLK.²¹

Verney focuses on the role of MLK within an American national context and within the CRM and does not, unlike Jackson, elaborate on what role and consequences MLK's ideas and actions might have had in a global context. Verney argues that one of the biggest contributions of MLK within the CRM was that he succeeded in balancing the interests of both the African-American protesters and what Verney refers to as the Northern white liberals.²² With his statement Verney implies that the success of MLK was due to a pragmatism rather than a hard-line ideological strategy. Although Verney focuses on MLK's contributions in the struggle for civil and political rights, he does highlight that MLK also committed to the struggle for social and economic rights throughout his career.²³ Verney explains MLK's commitment to social and economic struggles by referring to MLK's belief in the religious concepts of "Personalism" and "Social Gospels".²⁴ Verney describes that the concept of "Personalism"

¹⁸ Richardson, Dr. Martin Luther King, Jr. as an International Human Rights Leader, p. 472.

¹⁹ Richardson, Dr. Martin Luther King, Jr. as an International Human Rights Leader, p. 471.

²⁰ Verney, *Black civil rights in America*, p. 52-53.

²¹ Verney, *Black civil rights in America*, p. 52-53.

²² Verney, *Black civil rights in America*, p. 54.

²³ Verney, *Black civil rights in America*, p. 66.

²⁴ Verney, *Black civil rights in America*, p. 66.

highlights the worth of every human being and that each human being should be able to have a direct relationship with God, while the concept of “Social Gospels” advocates that church ministers (such as MLK) should be involved in improving the economic and social conditions in the community.²⁵ The arguments that Verney presents are relevant to this thesis because it demonstrates the religious aspect of MLK’s philosophical conceptualization of human rights, which will be investigated further in the analysis of this thesis.

Similarly to Richardson, Jackson presents the involvement of MLK within the struggle for socioeconomic rights that took place in the US (and elsewhere in the world) during MLK’s lifetime. Jackson argues, in contrast with some other scholars in the field, that MLK had radical ideas that concerned the economic and political system both within the US and globally and he also argues that these ideas of MLK did not develop only in the last years of his life, but can be traced back to the early days of his political career as well.²⁶ Lischer disagrees with Jackson, and argues that MLK’s involvement and interest in economic struggles did not begin until the later half of the 1960s and towards the end of his life.²⁷ Lischer claims that the whole CRM, with MLK at the front of the movement, went from advocating what Lischer refers to as old-fashioned American values, to adapting a more radical strategy first after 1965.²⁸ To analyze if MLK’s ideas and strategies changed throughout his career is not within the scope of this investigation, but it is an important debate within the field that needs to be mentioned. It is also relevant to this investigation since different opinions on the continuity or change of MLK’s career often is linked to how the authors’ view MLK’s contribution to the field of human rights.

Jackson has also written an article called “‘Bread of freedom’: Martin Luther King, Jr. and Human rights”. In this article Jackson opens with a quote of MLK expressing that the CRM in 1966 was demanding “more than civil rights”.²⁹ Jackson presents some historical context to this statement, for example that the Civil Right Act of 1964 and the Voting Rights Act of 1965

²⁵ Verney, *Black civil rights in America*, p. 66.

²⁶ Jackson, Thomas F. *From civil rights to human rights - Martin Luther King Jr. and the struggle for economic justice*, p.3.

²⁷ Lischer, Richard. *The preacher king: Martin Luther King Jr. and the word that moved America*. Updated Edition (E-book). Published to Oxford Scholarship Online: Jan 2020. Accessed via Lunds Universitet. DOI: 10.1093/oso/9780190065119.001.0001, p. 189.

²⁸ Lischer, *The preacher king: Martin Luther King Jr. and the word that moved America*, p. 189.

²⁹ Jackson, “ ‘Bread of freedom’: Martin Luther King, Jr. and Human rights”, p.14.

had been passed by the US Congress. This was seen by many as a victory for the CRM but for many activists within the CRM, MLK included, the struggle was far from over. Just like in his book, Jackson argues in his article that MLK believed civil rights and economic rights were interdependent and also that the struggle of African-Americans was part of a global struggle to achieve human rights.³⁰

Chacón presents what she refers to as lessons from MLK's life and work that she argues can be applied to the contemporary immigrants' rights movement in the US (as of 2008).³¹ Chacón pays attention to MLK's ideas of just and unjust laws in order to draw connections between the CRM and the more contemporary rights movement of immigrants in the US and to encourage the reader to understand that all laws applying to the treatment of immigrants in the US should not be blindly accepted or remain unchallenged.

By reading Chacón's application of MLK's ideas in a struggle for rights taking place more than 40 years after MLK's time, Chacón demonstrates that MLK's ideas can be seen as having a universal dimension. This further confirms the view that MLK's ideas were not limited to the CRM only. Chacón also highlights MLK's strong belief in a nonviolent world and in nonviolent action both as a means to an end but also as an end in itself.³² According to Chacón, MLK's vision of nonviolence was global in scope and she argues that MLK considered the national civil rights struggle as closely linked to global conflicts, wars and struggles of freedom and that nonviolence should be pursued as a strategy in all of these different struggles, to end the suffering of human beings everywhere.³³

The global dimension of MLK's ideas that Chacón presents can also be seen in Richardson's article. Richardson argues that MLK presented an "alternative conception of international relations".³⁴ According to Richardson this alternative conception that MLK provided was based on MLK's belief in and practice of nonviolence, alongside MLK's belief in

³⁰ Jackson, "Bread of freedom': Martin Luther King, Jr. and Human rights", p. 14.

³¹ Jennifer M. Chacón. "Civil Rights, Immigrants' Rights, Human Rights: Lessons from the Life and Works of Dr. Martin Luther King, Jr.". *New York University Review of Law and Social Change*. Vol 32. No 4. 2008. p. 469.

³² Chacón, "Civil Rights, Immigrants' Rights, Human Rights: Lessons from the Life and Works of Dr. Martin Luther King, Jr.", p. 480.

³³ Chacón, "Civil Rights, Immigrants' Rights, Human Rights: Lessons from the Life and Works of Dr. Martin Luther King, Jr.", p. 483.

³⁴ Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 473.

love as central to humanity and in the lives of all human beings.³⁵ Richardson links MLK's advocacy for nonviolence and unconditional love for all human beings to the tradition of natural law.³⁶ According to Richardson, traditions of natural law are apparent in MLK's ideas and action since MLK was heavily influenced by philosophers within natural law and international law,³⁷ Richardson argues that MLK believed in and advocated for the theories of natural law stating that all acts within the international political and legal framework needed to be normatively evaluated and needed to resonate with universal principles of rights and justice.³⁸

3 Theory and method

3.1 Theory

The theoretical framework for the investigation and the establishment of the method is centered around theories on the concept of human rights. More specifically, the theories on the concept of human rights collected and presented in *Human rights - concept and context*³⁹ by Brian Orend has been used as the theoretical framework from which the methodological categories have been created. In this section I will present Orend's definitions and discussions on the concept of human rights and how it led to the establishment of the three categories used in this deductive content analysis. The three categories that will be presented here are: a philosophical understanding of human rights, human rights in practice and the fulfillment of human rights.

The choice of Orend's concept of human rights as the theoretical framework can be justified primarily because in order to answer the research question of the thesis; *how did MLK conceptualize human rights?*, a theoretical background to human rights as well as a distinct definition of human rights as a concept needed to be included in the thesis. A previous

³⁵ Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 473.

³⁶ Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 483.

³⁷ Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 484.

³⁸ Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 484.

³⁹ Orend, Brian. *Human rights - concept and context*. Broadview Press Ltd. 2002.

understanding and preexisting conceptualizations of human rights needs to be presented in the thesis in order to have a starting point and reference point when decoding MLK's conceptualization of human rights. Orend's theory of human rights was specifically chosen because it presents a comprehensive conceptualization of human rights that could easily be operationalized into methodological categories for the purpose of this investigation. Choosing an existing theory of the concept of human rights as the starting point for the establishment of the categories used to code the data enabled me to analyze both MLK's explicit and implicit views and understandings of the concept of human rights.

I will now describe in greater detail the three methodological categories created from Orend's theories of the concept of human rights to demonstrate the establishment and relevance of the three overarching categories used in the investigation. The methodological approach in the establishment of the categories will then be presented in greater detail later on in the method section of this thesis. As will be demonstrated further in the next passages, Orend's theories about the concept of human rights fit well into the methodological approach of dividing the theory up into categories used to find and analyse the data in the investigation. In the first chapter of his book, titled "Basic Vocabulary and Core Concepts", Orend describes his understanding of the concept of human rights in different subsequent steps - an approach that is taken into consideration and is reflected in the creation of the categories for this investigation.

3.1.1 A philosophical understanding of human rights

In the very first passage of his book Orend starts addressing what the distinctiveness of the concept of human rights is and what requirements and characteristics the concept entails. He states that human rights are rights that *every single* human being has.⁴⁰ Orend further argues that this statement, although seemingly uncontroversial today, has been a radical and unimaginable statement during most of history.⁴¹ Orend addresses an important and long lived debate between

⁴⁰ Orend, *Human Rights - concept and context*, p. 15.

⁴¹ Orend, *Human Rights - concept and context*, p. 15.

different rights discourses: the difference between a theory of natural rights and human rights.⁴² Within the discourse of natural rights the central belief is that rights are properties of persons - human beings have inherent rights from birth.⁴³ Orend discards this rights discourse as outdated and argues instead for the human rights discourse which he argues presents a view of rights as reasons rather than properties of persons.⁴⁴ Orend justifies his equation of rights with reasons by stating that human rights are essentially values and guidelines that dictates how human beings should treat each other, and these values need to be accompanied with sound reasons as to why the right in question should be respected.⁴⁵

According to Orend, the concept of human rights entails two inherent assumptions of *universality* and *a form of equality*. Orend summarizes and crystallizes his argument when stating that “ [...] as human beings we all share a basic level of equal moral worth in some significant respect [...]”⁴⁶ He goes on to state that human rights should be considered as so-called trumps which means that human rights are rights of the highest priority and that in most situations they should have priority over other factors and claims in society.⁴⁷

Orend reaches what he titles an overall definition of human rights and he concludes it as follows: “A human right, then, is a general moral right that every human being has.”⁴⁸ Orend’s overall definition, with the qualities of universality and equality as well as morality inherent in the definition, constitutes what is the first category used in this thesis framed as: a philosophical understanding of human rights.

3.1.2 Human rights in practice

Moving beyond a philosophical and abstract concept of human rights, Orend argues that human rights can in practice be translated into justified claims directed at either individuals or

⁴² Orend, *Human Rights - concept and context*, p. 18.

⁴³ Orend, *Human Rights - concept and context*, p. 18.

⁴⁴ Orend, *Human Rights - concept and context*, p. 18-19.

⁴⁵ Orend, *Human Rights - concept and context*, p. 19.

⁴⁶ Orend, *Human Rights - concept and context*, p. 16.

⁴⁷ Orend, *Human Rights - concept and context*, p. 20.

⁴⁸ Orend, *Human Rights - concept and context*, p. 33.

institutions.⁴⁹ By framing human rights as justified claims Orend is highlighting the fact that a right is a claim *to* something - in other words, there is always an object of a right and Orend states that it is important to distinguish between a right in itself and the object of the right.⁵⁰ The objects of human rights can be in the form of both concrete and abstract objects and Orend states that the objects of human rights can be classified as *important benefits*.⁵¹ The question of exactly what objects should be considered so-called important benefits or objects of human rights is a continuous debated topic within the human rights discourse.⁵² Orend arrives at a conclusion that the objects of human rights can be summed up into what Orend titles the “foundational five”.⁵³ The so-called “foundational five” objects are: personal security, material subsistence, elemental equality, personal freedom and recognition as a member of the human community.⁵⁴

There is an overarching division of human rights into two different categories, depending on what the object of the human right is. The first category contains those human rights that are framed/ categorized as civil and political rights and the second category contains those human rights that are framed/ categorized as economic, social and cultural rights.⁵⁵ In broad terms, Orend concludes that the first category includes rights claiming “...various freedoms and legal protections [...]”⁵⁶ and the second category includes rights claiming “...concrete material goods and various social benefits [...]”⁵⁷ These two categories of human rights are also referred to as different generations of rights with the first category framed as the first-generation of rights and the second category as the second-generation of rights.⁵⁸ Orend presents an ongoing debate within the human rights discourse centered around a disputed clash between the so-called first-generation and second-generation of rights.⁵⁹ Orend argues that many human rights defenders (as he frames them) believe that the generation metaphor should be interpreted as highlighting the similarity, continuation and interdependency between the different categories of

⁴⁹ Orend, *Human Rights - concept and context*, p. 16-17.

⁵⁰ Orend, *Human Rights - concept and context*, p. 28.

⁵¹ Orend, *Human Rights - concept and context*, p. 29-30.

⁵² Orend, *Human Rights - concept and context*, p. 29.

⁵³ Orend, *Human Rights - concept and context*, p. 64.

⁵⁴ Orend, *Human Rights - concept and context*, p. 64.

⁵⁵ Orend, *Human Rights - concept and context*, p. 30.

⁵⁶ Orend, *Human Rights - concept and context*, p. 30.

⁵⁷ Orend, *Human Rights - concept and context*, p. 30.

⁵⁸ Orend, *Human Rights - concept and context*, p. 30.

⁵⁹ Orend, *Human Rights - concept and context*, p. 30.

rights.⁶⁰ Orend himself argues that all human rights are part of one and the same category (of human rights), and that different subdivisions of human rights should not be seen as conflicting sets of rights.⁶¹

In summary, Orend's theories concerning objects of human rights, different generations of rights and his so called foundational five objects of human rights substitute the creation of the second category used in this investigation: human rights in practice.

3.1.3 The fulfillment of human rights

Orend elaborates on the functionings of human rights in reality by presenting theories concerning how human rights are fulfilled in practice. Human rights demand action or inaction by other individuals and institutions in order to be fulfilled in practice.⁶² If considering human rights as claims, then it follows that each claim comes with a correlative duty - a right cannot be fulfilled without someone or something fulfilling that right, i.e. performing the duty correlating to the right.⁶³ Orend presents what he calls an "integrative account" that expresses that every human being has both a personal duty as well as a political duty to make sure that other human beings are not being deprived of their human rights.⁶⁴ The political duty is linked to the duties that institutions have - every human being has a duty to make sure that institutions do not deprive human rights of other human beings.

Orend presents what he considers to be the most debated distinction within the human rights discourse - the distinction between so-called negative and positive rights.⁶⁵ According to this distinction, there exists negative rights that come with a correlative duty of inaction, while the correlative duty of positive rights demands action.⁶⁶ A popular line of reasoning has been to equate first-generation rights with negative rights and to equate second-generation rights with

⁶⁰ Orend, *Human Rights - concept and context*, p. 30-31.

⁶¹ Orend, *Human Rights - concept and context*, p. 122.

⁶² Orend, *Human Rights - concept and context*, p. 31.

⁶³ Orend, *Human Rights - concept and context*, p. 21.

⁶⁴ Orend, *Human Rights - concept and context*, p. 136.

⁶⁵ Orend, *Human Rights - concept and context*, p. 31.

⁶⁶ Orend, *Human Rights - concept and context*, p. 31-32.

positive rights.⁶⁷ If accepting this view it would follow that civil and political rights merely require inaction from the duty-bearers in order to be fulfilled, a view with which Orend does not agree.⁶⁸

The debates concerning both the different generations of rights and negative versus positive rights are all related to the central question of the cost of human rights. Within the human rights discourse there exists a continuous debate on what should be included in the human rights framework, a debate that can be rephrased as a debate concerning what objects can be justified as human rights and therefore also be considered worth the cost the fulfillment of these rights will entail.⁶⁹ There are theorists who argue that only civil and political rights (first-generation) can reasonably be fulfilled and that the social, economic and cultural rights (second-generation) come with an unreasonable cost and therefore substitute a simply idealized and unattainable set of rights.⁷⁰ An opposing view argues that the fulfillment of social, economic and cultural rights is just as, if not more, important than the fulfillment of civil and political rights, a view that Orend agrees with.⁷¹

The crucial understanding that the realization and fulfillment of human rights come with correlative duties and economic costs described in the paragraphs above substitute what is the third methodological category used in this investigation to answer the research question: the fulfillment of human rights.

3.2 Method

The method used to carry out this investigation is a deductive content analysis. The method that I have applied for the investigation is built on the theories and descriptions of Hsieh and Shannon concerning the broader method of qualitative content analysis. According to Hsieh and Shannon, a qualitative content analysis is a flexible type of method with the purpose of analyzing text data.

⁶⁷ Orend, *Human Rights - concept and context*, p. 32.

⁶⁸ Orend, *Human Rights - concept and context*, p. 32.

⁶⁹ Orend, *Human Rights - concept and context*, p. 32 and p. 110.

⁷⁰ Orend, *Human Rights - concept and context*, p. 32 and p. 110.

⁷¹ Orend, *Human Rights - concept and context*, p. 111.

⁷² The flexibility of the method can be seen as both a strength and a weakness; a strength because it allows for the researcher to design and apply the method in various different fields and for different purposes; a weakness because the method lacks a clear and defined set structure.⁷³ A qualitative content analysis is an appropriate method for the purpose of this investigation since it is a method used for capturing the content or contextual meaning of the text of interest by analyzing the language as a tool of communication in the primary material.⁷⁴ The aim of this investigation is to deduce how MLK conceptualizes human rights, and therefore a method to capture the content meaning of the primary material is suitable.

Hsieh and Shannon explain that a qualitative content analysis is not a method for simply counting the frequency of specific words, but rather to read and analyze and categorize a larger selection of text into different categories that, in the words of Weber, represent similar meanings.⁷⁵ The analytical categorization of the primary material can include meanings and messages that are either explicitly or implicitly expressed in the text.⁷⁶ A set of texts is chosen as the primary material for the investigation, and the aim is to unveil both the explicit and implicit ways in which MLK conceptualizes human rights in his texts. An alternative method that could seem appropriate to this investigation is an analysis of concepts, but since the aim is not to analyze human rights as a linguistic concept but rather how it is defined and conceptualized as an idea, the qualitative content analysis is a more suitable method in order to answer the research question. Hsieh and Shannon summarize the definition of the qualitative content analysis by defining it as a “research method for the subjective interpretation of the content of the text data through the systematic classification process of coding and identifying themes or patterns.”⁷⁷

In their article Hsieh and Shannon present three different approaches within the qualitative content analysis. The choice of approach depends on the aim and material of the investigation.⁷⁸ The approach chosen for this investigation is an approach within the method of

⁷² Hsieh, Hsiu-Fang and Shannon, Sara E. “Three Approaches to Qualitative Content analysis”. *Qualitative Health Research*, Vol. 15. No. 9. November 2005. p. 1277.

⁷³ Hsieh and Shannon. “Three Approaches to Qualitative Content analysis”, p. 1277.

⁷⁴ Hsieh and Shannon, “Three Approaches to Qualitative Content analysis”, p. 1278.

⁷⁵ Hsieh and Shannon, “Three Approaches to Qualitative Content analysis”, p. 1278.

⁷⁶ Hsieh and Shannon. “Three Approaches to Qualitative Content analysis”, p. 1278.

⁷⁷ Hsieh and Shannon, “Three Approaches to Qualitative Content analysis”, p. 1278.

⁷⁸ Hsieh and Shannon, “Three Approaches to Qualitative Content analysis”, p. 1277.

qualitative content analysis that Hsieh and Shannon frame as a directed content analysis.⁷⁹ The approach can be described as a deductive approach,⁸⁰ which makes it suitable for this investigation as will be made clear in this section. The direct content analysis is a method that draws upon the already existing research and theories within the area of interest for the investigation.⁸¹ In this investigation the method used will be referred to as a deductive content analysis.

Drawing upon either existing research or an existing theory within the field of interest, the first step in executing the method is to identify variables or key concepts in the primary material that will work as the so-called initial coding categories.⁸² The second step is then to establish operational definitions for each of the categories by drawing upon the theoretical framework of interest.⁸³

3.2.1 Approach

In this deductive content analysis the methodological categories used are established based on Orend's existing theoretical framework of the concept of human rights (presented in depth in the theory section). The three established categories; a philosophical understanding of human rights, human rights in practice and the fulfillment of human rights, serve as a guide for the coding and sorting of the primary material. The findings from the primary material and the analysis of the findings are presented in an integrated fashion in the same section of the investigation. The findings are presented and then analyzed by applying Orend's theoretical framework of the concept of human rights in order to answer the research question: *How does MLK conceptualize human rights?* The data coded and organized under the three different categories have been sorted into overarching key themes established after the coding of the primary material. The first category presents three key themes; love, respect and equality; universality and collective belonging; natural rights versus human rights. The second category presents two key themes:

⁷⁹ Hsieh and Shannon, "Three Approaches to Qualitative Content analysis", p. 1281.

⁸⁰ Hsieh and Shannon, "Three Approaches to Qualitative Content analysis", p. 1281.

⁸¹ Hsieh and Shannon, "Three Approaches to Qualitative Content analysis", p. 1281.

⁸² Hsieh and Shannon, "Three Approaches to Qualitative Content analysis", p. 1281.

⁸³ Hsieh and Shannon, "Three Approaches to Qualitative Content analysis", p. 1281.

objects of human rights and generations of rights. The third category presents three key themes: duties and costs of human rights; nonviolence and love as strategies; global dimension of human rights. After answering the research question by using the theoretical framework, the findings of this investigation will be linked to and compared with the existing previous research within the field in the discussion section of the thesis.

4 Findings and analysis

In this section the findings of the primary material will be presented and analyzed in order to answer the research question: *How did MLK conceptualize human rights?* This will be done by using the three methodological categories established from Orend's theoretical framework of the concept of human rights. The findings under each methodological category are presented and analyzed under different key themes that were established after the deductive coding of the data.

4.1 MLK's philosophical conceptualization of human rights

4.1.1 Love, respect and equality

MLK's conceptualization of human rights can be found in his discussions of the importance of love - a central and recurring theme in the texts of MLK. MLK presents a multifaceted understanding of the concept of love, and he especially zooms in on the type of love that is captured with a greek word for love - *agape*.⁸⁴ MLK's understanding of *agape* is captured in the following passage:

“Agape is disinterested love. It is a love in which the individual seeks not his own good, but the good of his neighbor (1 Cor. 10:24). *Agape* does not begin by discriminating between

⁸⁴ King, Martin Luther, Jr. *Stride toward freedom; the Montgomery story*, New York: Harper & Row Publishers. 1958, p. 104.

worthy and unworthy people, or any qualities people possess. It begins by loving others *for their sakes*.⁸⁵

In the passage above MLK is expressing the concept of human rights framed in terms of agape - a type of love that he defines as disinterested love. MLK also defines this disinterested love as being non-affectionate, and that it rather entails and advocates acts of understanding and respect between people.⁸⁶ MLK argues that agape entails respecting others because of the mere fact that they are human beings; loving them “for their sakes” regardless of their qualities. MLK’s understanding of and focus on agape can be seen as part of his conceptualization of human rights since agape according to him dictates that all human beings should be met with respect and that all people have inherent worth. As Orend argues, the philosophical starting point for the existence of the concept of human rights is the assumption that all human beings have moral worth by virtue of existing as human beings.⁸⁷

MLK expresses that his understanding of the importance of love is inspired by the thoughts of Mahatma Gandhi. MLK argues that Gandhi also emphasized the importance and power of love and that Gandhi was the first person to advocate that love is not only a concept between individuals, but also an essential and powerful force on a larger scale in society.⁸⁸ The understanding of love that MLK himself developed had a religious dimension to it, as can be seen in the passage above when MLK refers to the bible: “the good of his neighbor (1 Cor. 10:24)” when explaining what the concept of agape entails. MLK argued that the philosophies of Gandhi taught him that the ethics of Jesus, especially the ethics of love, was universally applicable in all scenarios in life.⁸⁹ Since MLK’s understanding of love can be seen as central to his conceptualization of human rights, it also follows that MLK’s understanding of human rights, just like his understanding of love, was grounded in religion.

The theme of respect appears in MLK’s texts not only in relation to discussions about love and agape, but also in other discussions. MLK highlights the importance of treating every

⁸⁵ King, *Stride toward freedom; the Montgomery story*, p. 104.

⁸⁶ King, *Stride toward freedom; the Montgomery story*, p. 104.

⁸⁷ Orend, *Human rights: concept and context*, p. 15-16.

⁸⁸ King, *Stride toward freedom; the Montgomery story*, p. 97.

⁸⁹ King, *Stride toward freedom; the Montgomery story*, p. 96-97.

human being with respect and he frames this as a “basic lesson in human relations.”⁹⁰ Drawing on his experiences as an African-American and a leader of the CRM, MLK argues that mutual respect between white people and black people (as well as between people of any race) is vital for what he in the text frames as the human rights movement.⁹¹ Alongside the importance of respect, MLK also highlights the importance of equality between all human beings.⁹² By stressing the importance of mutual respect and a strive towards equality between all human beings, MLK can be seen as conceptualizing human rights. The views that MLK expresses are in line with Orend’s understanding of human rights as including an assumption of a form of equality between all human beings.⁹³

MLK argues that the idea that all human beings have moral worth and deserve to be respected not only applies to the way human beings view and treat *other* human beings, but also in the way that human beings view and treat *themselves*. MLK expresses this view when addressing the evolution of the self-image of African-Americans:

“With this new sense of dignity and new self-respect a new Negro emerged. So there has been a revolutionary change in the Negro’s evaluation of his nature and destiny, and a determination to achieve freedom and human dignity.”⁹⁴

Within a philosophical understanding of human rights, it is a logical step to conclude that if the concept of human rights expresses that all human beings have worth and should be respected, then that really does apply to *all* people, including oneself. Drawing on the quotation above it is understood that MLK believed that a human being’s realization of self-worth and self-respect is relevant to the success of the fulfillment of their human rights. Unlike MLK, self-worth and self-respect is not something that Orend includes in his conceptualization of human rights.

⁹⁰ King, Martin Luther, Jr. *A testament of hope* (1968). In *A testament of hope: the essential writings and speeches of Martin Luther King, Jr.* Washington, James M. (ed.). 1st paperback ed. New York: HarperOne. 1991, p. 316.

⁹¹ King, *A testament of hope*, p. 317.

⁹² King, *A testament of hope*, p. 316-317.

⁹³ Orend, *Human rights: content and context*, p. 16.

⁹⁴ King, Martin Luther, Jr. “The current crisis in race relations” (1958). In *A testament of hope: the essential writings and speeches of Martin Luther King, Jr.* Washington, James M. (ed.). 1st paperback ed. New York: HarperOne. 1991. p. 85-86.

4.1.2 Universality and collective belonging

Another way in which MLK conceptualizes human rights is by continuously adhering to a belief in collective belonging and interrelation between all human beings in the world. The collective dimension of MLK's beliefs is for example expressed in relation to his definition of agape, where he argues that agape entails an understanding of the interrelation between all human beings and that the importance of agape (in other words understanding and respect for all human beings) comes from the need of every human being to belong to the human family.⁹⁵ The interdependency and collective belonging between all human beings is expressed by MLK in the following passage: "Agape is love seeking to preserve and create community. It is insistence on community even when one seeks to break it. Agape is willingness to sacrifice in the interest of mutuality."⁹⁶ The quote expresses MLK's belief that understanding and respect between all human beings is critical in order for human beings to be able to coexist. He further argues that respect and love for other human beings needs to be prioritized above personal and selfish interests, demonstrated in the last sentence of the quote. The high priority of agape that MLK stresses can be linked to Orend's definition of human rights as trumps - human rights are rights that demand respect and recognition of the worth of every human being and should be of top priority in human societies.⁹⁷

The central principle of universality that Orend includes in the concept of human rights can in several ways be seen in MLK's conceptualization of human rights through his focus and emphasis on a collective belonging and interrelation of all human beings. MLK's conceptualization adds a dimension to the aspect of universality that Orend does not include in his conceptualization of human rights. In line with his emphasis on a collective belonging, MLK professes that "all men are brothers"⁹⁸ and that there is a need to strive towards a sense of brotherhood between all human beings in the world in order to secure justice and respect for all

⁹⁵ King, *Stride toward freedom; the Montgomery story*, p. 105.

⁹⁶ King, *Stride toward freedom; the Montgomery story*, p. 105.

⁹⁷ Orend, *Human rights: concept and context*, p. 20.

⁹⁸ King, *Stride toward freedom; the Montgomery story*, p. 106.

human beings.⁹⁹ MLK includes an emotional dimension in his conceptualization of human rights. Orend expresses that the aspect of universality within the concept of human rights holds true simply because every human being is a member of the human community.¹⁰⁰ In contrast with MLK, he does not put any emphasis on how human beings *feel* about the inclusion within the same human community - the principle of universality is valid regardless of human beings' feelings towards each other and towards their common inclusion within the human community.

4.1.3 Natural rights versus human rights

Using Orend's theoretical framework, conceptualizations of human rights stems from the debate between the different rights discourses of natural rights and human rights.¹⁰¹ As will become apparent further on in the analysis, MLK's conceptualization of human rights can be linked to both the tradition of natural law and the more contemporary tradition of positive law, and does not exclusively follow just one tradition. It follows that MLK merges the two rights discourses and sometimes describes natural rights and human rights as interchangeable concepts. Focusing first on MLK's position within the natural law tradition, it can be deduced that MLK, at least partly, understands human rights as being inherent properties of human beings, and that there is a strong religious dimension to his conceptualization of human rights. MLK expresses his understanding of rights as inherent properties of human beings by referring to the words of Jefferson: "All men are created equal, and are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness."¹⁰² By including the words of Jefferson, MLK emphasizes his belief that rights are "unalienable rights" granted to every human being by God "their Creator".

MLK's conceptualization of human rights as properties of persons can be contrasted with Orend's conceptualization of human rights as reasons.¹⁰³ Orend's understanding of human rights as reasons implies a need to justify human rights by answering the rhetorical question: why

⁹⁹ King, "The current crisis in race relations", p. 89.

¹⁰⁰ Orend, *Human rights: concept and context*, p. 16.

¹⁰¹ Orend, *Human rights: concept and context*, p. 18.

¹⁰² King, "The current crisis in race relations", p. 90.

¹⁰³ Orend, *Human rights: concept and context*, p. 18-19.

should human beings be respected and be treated in a certain way?¹⁰⁴ MLK expresses a conceptualization of human rights that does not necessarily include the need for reasons and justifications. In relation to his discussion of agape, MLK argues: “Agape means understanding, redeeming good will for all men. It is an overflowing love which is purely spontaneous, unmotivated, groundless and creative.”¹⁰⁵ MLK argues that agape, understanding and respect for all human beings, is “unmotivated” and “groundless”. By conceptualizing human rights through agape, MLK is presenting an understanding of human rights as properties that do not need to be justified.

MLK further anchors his conceptualization of human rights in his belief in the philosophy of personalism, a belief that he describes as his basic philosophical position.¹⁰⁶ MLK explains that personalism is a philosophy that advocates that “ultimate reality is found in personality.”¹⁰⁷ He presents how his belief in personalism further influenced his thinking: “...it gave me metaphysical and philosophical grounding for the idea of a personal God, and it gave me a metaphysical basis for the dignity and worth of all human personality.”¹⁰⁸ It is apparent that both MLK and Orend express that the concept of human rights is based on the assumption that all human beings have worth in the capacity of being human.¹⁰⁹ However, unlike MLK, Orend does not ground this conceptualization of human rights in metaphysics or in a religious belief.

By applying Orend’s theoretical framework to the chosen texts of MLK it was deduced that MLK’s philosophical conceptualization of human rights is expressed through concepts such as love, agape, equality, brotherhood and personalism. It can be summarized that MLK’s philosophical conceptualization of human rights has a moral and emotional focus as well as a religious and collective dimension. Also, it becomes apparent that MLK expresses a philosophical conceptualization of human rights that is more rooted in the tradition of natural law than the more contemporary view rooted in positive law and the role of reason and justification that Orend expresses in his theoretical framework.

¹⁰⁴ Orend, *Human rights: concept and context*, p. 16.

¹⁰⁵ King, *Stride toward freedom; the Montgomery story*, p. 104.

¹⁰⁶ King, *Stride toward freedom; the Montgomery story*, p. 100.

¹⁰⁷ King, *Stride toward freedom; the Montgomery story*, p. 100.

¹⁰⁸ King, *Stride toward freedom; the Montgomery story*, p. 100.

¹⁰⁹ Orend, *Human rights: concept and context*, p. 16.

4.2 Human rights in practice according to MLK

4.2.1 Objects of human rights

Linking back to the theoretical framework for the concept of human rights, Orend states that every human right has an object.¹¹⁰ As stated in the theory section, Orend argues that objects of human rights do not only include concrete objects but also abstract objects, such as liberty.¹¹¹ In his text, MLK also recognizes and highlights the objects of the human rights that he is discussing. This is expressed when MLK problematizes the possibilities for African-Americans to live a good life:

But for the Negro GI, military service still represents a means of escape from the oppressive ghettos of the rural South and the urban North. He often sees the army as an avenue for educational opportunities and job training. He sees in the military uniform a symbol of dignity that has long been denied him by society. The tragedy in this is that military service is probably the only possible escape for most young Negro men. Many of them go into the army, risking death, in order that they might have a few of the human possibilities of life.¹¹²

The passage reveals that MLK believes that African-American men are not granted what he frames as “the human possibilities of life” within the American society. MLK highlights one such human possibility: dignity. The human possibilities that MLK describes can be understood as human rights and dignity can be understood as an example of an abstractly defined object of a human right. Dignity can also be linked to one of Orend’s foundational objects of human rights: elemental equality.

MLK also highlights the importance of more concrete objects of human rights. Within a theoretical and religious discussion concerning the role of the Christian church in dealing with

¹¹⁰ Orend, *Human rights: concept and context*, p. 27.

¹¹¹ Orend, *Human rights: concept and context*, p. 29.

¹¹² King, *A testament of hope*, p. 326.

injustices in society, MLK agrees with theologian Rauschenbusch that the well-being of a human is not only dependent on the spiritual well-being of the human but also the material well-being of the human.¹¹³ MLK's emphasis on the importance of the physical and material conditions of human beings can be linked to one of the objects of human rights that Orend defines as one of the foundational five: material subsistence.¹¹⁴

Two specific objects of human rights that MLK emphasizes concerns the importance of adequate housing and adequate working conditions for every human being. Both these objects can be interpreted as incorporated into Orend's category of material subsistence (one of his foundational five objects of human rights). MLK expresses the importance of both these objects in the following passage:

Urban transit systems in most American cities, for example, have become a genuine civil rights issue - and a valid one - because the layout of rapid-transit systems determines the accessibility of jobs to the black community. If transportation systems in American cities could be laid out so as to provide an opportunity for poor people to get meaningful employment, then they could begin to move into the mainstream of American life. [...] The same problems are to be found in the areas of rent supplement and low-income housing. The relevance of these issues to human relations and human rights cannot be overemphasized. The kind of house a man lives in, along with the quality of his employment, determines, to a large degree, the quality of his life.¹¹⁵

In the passage MLK expresses that "meaningful employment" as well as adequate housing is essential in determining the quality of a person's life. He explicitly links the issues of adequate housing and adequate working conditions to human rights by stating that "The relevance of these issues to human relations and human rights cannot be overemphasized." MLK further argues that the fulfillment of the object of meaningful employment is largely dependent on another factor: accessibility. He argues that without the access to adequate transportation systems, many African-Americans will not have access to meaningful jobs and will in turn not be able to "move into the mainstream of American life". Ability to have access to and be able to participate in society can be seen as an object of human rights in itself and can arguably be linked to several of

¹¹³ King, *Stride toward freedom: the Montgomery story*, p. 91.

¹¹⁴ Orend, *Human rights: concept and context*, p. 64.

¹¹⁵ King, *A testament of hope*, p. 325-326.

the objects of human rights included in Orend's foundational five: elemental equality, personal freedom and recognition as a member of the human community.

4.2.2 Generations of rights

Throughout the texts analysed in this investigation it is evident that MLK realizes the importance of not just civil and political rights, but also the importance of social, economic and cultural rights. More importantly, MLK highlights the interdependence of these different categories of human rights, and how all categories of human rights need to be fulfilled in order for people to be fully respected and live an adequate life. This is highlighted when MLK expresses that political rights are needed in order for economic rights to be efficient:

But I repeat, the recent curative steps that have been taken are, at best, inadequate. The summer poverty programs, like most other government projects, function well in some places and are totally effective in others. The difference in large measure, is one of citizen participation; that is the key to success or failure.¹¹⁶

In the passage MLK argues that the success of the so-called poverty programs, established with the aim of reducing poverty, were heavily dependent on if the concerned people were allowed to sit in and participate in the planning and execution of the programs. This can be seen as an evident example of the interdependence of economic and political rights, as described by Orend, since the aim of fulfilling economic rights of American people was dependent on the level of political rights they had (in terms of political participation in relation to the programs). The interdependence and importance of both generations of rights within the human rights discourse is also presented by Orend. As stated in the theory section, Orend argues that the first (civil and political) and second (economic, social and cultural) generation of rights should be seen as

¹¹⁶ King, *A testament of hope*, p. 324-325.

complementary categories and are both vital categories within the wider category of human rights.¹¹⁷

MLK also provides arguments for how the first generation of human rights are dependent on the second generation of human rights: civil and political rights need to be complemented with economic rights. He expresses a frustration when arguing that many white people in the US did not understand the importance of economic security in order for other rights to gain true value: “Many whites who concede that Negroes should have equal access to public facilities and the untrammled right to vote cannot understand that we do not intend to remain in the basement of the economic structure[...]¹¹⁸ MLK crystallizes his argument when he states that “the inseparable twin of racial justice was economic justice.”¹¹⁹ According to MLK, racial equality and true integration could not be obtained without understanding and fighting the economic injustice between white and black people in the US (and elsewhere in the world).

MLK pays specific attention to the importance of economic rights. In the final year of his life he assesses the struggles that he has been participating in for over a decade.

Just three years ago, a Negro could be beaten for going into the county courthouse in Dallas County; now Negroes share in running it. So there *are* some changes. But the changes are basically in the social and political areas; the problems we now face - providing jobs, better housing and better education for the poor throughout the country - will require money for their solution, a fact that makes those solutions all the more difficult. The need for solutions meanwhile, becomes more urgent every day, because the problems are far more serious now than they were just a few years ago. Before 1964, things were better economically for the Negro; but after that year, things began to take a turn for the worse.¹²⁰

In assessing the results of the struggles and the future struggles that lie ahead, MLK emphasizes the importance of economic rights and pays attention to the reality of the economic costs that the fulfillment of human rights entail. This will be further explored in the last section of the analysis focusing on MLK’s conceptualization of the fulfillment of human rights.

¹¹⁷ Orend, *Human rights: concept and context*, p. 122.

¹¹⁸ King, *A testament of hope*, p. 316.

¹¹⁹ King, *Stride towards freedom: the Montgomery story*, p. 90.

¹²⁰ King, *A testament of hope*, p. 321.

To put MLK's conceptualization of human rights into a wider global context, he expresses that the struggles for human rights, both in terms of first generation and second generation rights, had been fought throughout the world:

In the past two decades, the contemporary world entered a new era characterized by multifaceted struggles for human rights. Contentions erupted under the pressures of a billion people pressing in from the past to enter modern society. In nations of both the East and the West, long-established political and social structures were fissured and changed.¹²¹

By framing the human rights struggles as "multifaceted", MLK once again emphasizes that he considers human rights to entail civil and political rights as well as economic, social and cultural rights, and that the different generations of rights are interdependent and equal in importance.

To summarize the findings under the category of human rights in practice it can be stated that MLK conceptualizes human rights in practice to both include so-called abstract objects of human rights such as dignity, and more concrete objects of human rights such as adequate housing and adequate working conditions. MLK also emphasizes the interdependence of first generation of rights (civil and political) and second generation of rights (economic, social and cultural) in his conceptualization of human rights in practice.

4.3 The fulfillment of human rights according to MLK

4.3.1 Duties and costs of human rights

As Orend emphasizes in his conceptualization of human rights, every human right comes with a correlative duty of action or inaction in order for that right to be fulfilled and realized in practice.

¹²² MLK also acknowledges the vital aspect that human rights cannot be fulfilled if the correlative duties are not met: "Legislative enactments, like court decisions, declare rights, but

¹²¹ King, Martin Luther, Jr. "Hammer on civil rights" (1964). In *A testament of hope: the essential writings and speeches of Martin Luther King, Jr.* Washington, James M. (ed.). 1st paperback ed. New York: HarperOne. 1991, p. 169.

¹²² Orend, *Human rights: concept and context*, p. 31.

do not automatically deliver them. Ultimately, executive action determines what force and effect legislation will have.”¹²³ MLK emphasizes that as long as declarations of human rights are not followed by action to fulfill these rights in practice, then they are not effective. MLK’s conceptualization of the fulfillment of human rights can also be found when he expresses the urgency of action from the Senate: “There would be no more fitting tribute to the children of Birmingham to have the Senate for the first time in history bury a civil rights filibuster.”¹²⁴ MLK expresses frustration over the fact that the Senate keeps delaying the fulfillment of the civil rights of the African-American population - they are tired of hearing empty promises and demand true change through action.

MLK highlights that both legislative and executive actions are required in order to achieve the fulfillment of the human rights of the African-American population: “But there is no reason why the civil rights movement should abandon one weapon as it flourishes another. It would amount to negligence to allow the creative use of executive power to wither because gains are possible on the legislative stage.”¹²⁵ MLK stresses the importance of not putting different strategies in fulfilling human rights against each other, however he argues that executive action can be effective and should sometimes be taken even if legislative action is not taken.¹²⁶

Furthermore MLK conceptualizes the fulfillment of human rights as dependent on the actions taken on an institutional level: “If determination is expressed at the highest level, and if it is realized that the prevalent lawlessness of the South must come to an end, the victory cannot fail.”¹²⁷ This can be linked to Orend’s integrative account concerning duties where he emphasizes that both individuals and institutions have a duty to fulfill human rights.¹²⁸ MLK also argues that an important method in fulfilling the human rights of the African-American population is that they must be included in the sharing of political power within the US political system.¹²⁹

Another aspect that MLK raises within his conceptualization of the fulfillment of human rights is that he sees a need for radical change within many areas in American society in order to

¹²³ King, “Hammer on civil rights”, p. 172.

¹²⁴ King, “Hammer on civil rights”, p. 171.

¹²⁵ King, “Hammer on civil rights”, p. 172.

¹²⁶ King, “Hammer on civil rights”, p. 171-172.

¹²⁷ King, “Hammer on civil rights”, p. 175.

¹²⁸ Orend, *Human rights: concept and context*, p. 135-136.

¹²⁹ King, *A testament of hope*, p. 317.

achieve justice for the African-American population as well as other citizens who do not get their human rights fulfilled:

In these trying circumstances, the black revolution is much more than a struggle for the rights of Negroes. It is forcing America to face all its interrelated flaws - racism, poverty, militarism and materialism. It is exposing evils that are rooted deeply in the whole structure of our society. It reveals systematic rather than superficial flaws and suggests that radical reconstruction of society itself is the real issue to be faced.¹³⁰

In the passage MLK expresses that seemingly different problems in society, such as economic problems and militaristic problems, are all “interrelated flaws” that need to be tackled as such. MLK advocates for a structural approach in unveiling the big and underlying problems within the US society, and highlights the fact that the struggle for human rights for the African-American population is dependent on the attention paid to all these structural problems. MLK’s conceptualization of the fulfillment of human rights in this regard can be linked back to Orend’s theoretical framework. Just like Orend, MLK highlights that the fulfillment of human rights comes with costs.¹³¹ By advocating for radical changes in society, MLK is acknowledging the fact that true fulfillment of human rights will come with economic costs, but that these changes and the costs that they entail are vital and necessary to make. By highlighting the interdependence of problems such as racism and poverty, MLK argues in line with Orend that both first and second generation rights come with costs but that both categories of human rights are vital and need to be fulfilled.¹³²

4.3.2 Nonviolence and love as strategies

Perhaps the most central strategy that MLK advocates for in his conceptualization of the fulfillment of human rights, is the strategy of nonviolence: “I found in the nonviolent resistance philosophy of Gandhi. I came to feel that this was the only morally and practically sound method

¹³⁰ King, *A testament of hope*, p. 314.

¹³¹ Orend, *Human rights: concept and context*, p. 32.

¹³² Orend, *Human rights: concept and context*, p. 111.

open to oppressed people in their struggle for freedom.”¹³³ In this quote nonviolence as the method for “oppressed people in their struggle for freedom” can be understood as a method in fulfilling the human rights (in which freedom plays a central role) of all human beings who still do not have their human rights fulfilled. MLK argues that the fulfillment of rights cannot be solved by violent methods. An example of how he justifies this belief is when he highlights the fact that violence cannot solve the economic problems that stand in the way for the fulfillment of human rights.¹³⁴

The strategy of nonviolence as a method for fulfilling human rights is according to MLK deeply linked with, and sometimes equal to, using love as an executive method to achieve justice and fulfill human rights: “As I delved deeper into the philosophy of Gandhi my skepticism concerning the power of love gradually diminished, and I came to see for the first time its potency in the area of social reform.”¹³⁵ The concept of agape was in a previous section of this analysis established as a way in which MLK conceptualizes human rights. MLK also conceptualizes agape as a strategy in fulfilling human rights: “*Agape* is not a weak, passive love. It is love in action.”¹³⁶ As concluded in the first section of the analysis, MLK’s understanding of agape can be seen as respect and understanding for all human beings.¹³⁷ In understanding agape as a strategy that MLK advocates in order to fulfill human rights, it can be concluded that agape, love in action, is in practice about treating other human beings with respect.

According to MLK, the strategy of nonviolence and love in action is vital because hatred between human beings must be erased in order for the fulfillment of human rights to be successful:

The nonviolent resister would contend that in the struggle for human dignity, the oppressed people of the world must not succumb to the temptation of becoming bitter or indulging in hate campaigns. [...] Along the way of life, someone must have sense enough and morality enough to cut off the chain of hate. This can only be done by projecting the ethic of love to the center of our lives.¹³⁸

¹³³ King, *Stride toward freedom: the Montgomery story*, p. 97.

¹³⁴ King, *A testament of hope*, p. 322.

¹³⁵ King, *Stride towards freedom: the Montgomery story*, p. 96.

¹³⁶ King, *Stride towards freedom: the Montgomery story*, p. 105.

¹³⁷ See second paragraph in 4.1.1.

¹³⁸ King, *Stride towards freedom: the Montgomery story*, p. 104.

MLK's conceptualization of the fulfillment of human rights through the strategy of nonviolence and agape touches on Orend's description of negative rights - the category of rights that come with a negative correlative duty of inaction.¹³⁹ The duty of inaction in order to fulfill negative rights simply means to withstand from harming other human beings and depriving them of their human rights.¹⁴⁰ The same line of reasoning by MLK can be seen in the passage above when he stresses that people must "cut off the chain of hate" - human beings must stop harming and inflicting on each other's human rights. MLK argues that replacing hate with respect within "the area of human relations"¹⁴¹ is the starting point for the fulfillment of human rights.

The strategies of nonviolence and love in action that MLK includes in his conceptualization of the fulfillment of human rights does not just guide how human beings should consider and act towards other human beings, but also how human beings consider themselves. MLK argues that nonviolent methods in fulfilling the human rights of African-Americans are ineffective because African-Americans will still feel inferior to the white population and the hierarchy of the power structure will remain despite riots and other violent measures.¹⁴² MLK argues instead that "Ultimately, one's sense of manhood must come from within him."¹⁴³ According to MLK, African-Americans realization and appreciation of their own self-worth is a necessary starting point in order to fulfill their human rights:

The crisis has been precipitated, on the other hand, by the radical change in the Negro's evaluation of himself. There would probably be no crisis in race relations if the Negro continued to think of himself in inferior terms and patiently accepted injustice and exploitation. But it is at this very point that the change has come.¹⁴⁴

MLK further argues that a successful factor in the African-American's struggle for human rights is the refusal of the African-Americans to give up even when they are met with continuous violence and demoralization.¹⁴⁵ However, MLK emphasizes a faulty assumption of many white

¹³⁹ Orend, *Human rights: concept and context*, p. 31-32.

¹⁴⁰ Orend, *Human rights: concept and context*, p. 32 and 136.

¹⁴¹ King, *A testament of hope*, p. 325

¹⁴² King, *A testament of hope*, p. 322.

¹⁴³ King, *A testament of hope*, p. 322-323.

¹⁴⁴ King, "The current crisis in race relations", p. 85.

¹⁴⁵ King, "Hammer on civil rights", p. 170.

people in the US: “It is a land of individuals who, in the majority, have not cared, who have been heartless about their black neighbours because their ears are blocked and their eyes blinded by the tragic myth that Negroes endure abuse without pain or complaint.”¹⁴⁶ MLK argues that the African-Americans realization of their own self-worth and entitlements to the fulfillment of their human rights, enables them to challenge the oppression they are facing and start demanding change.¹⁴⁷

4.3.3 Global dimension of human rights

MLK emphasizes the importance and force that comes from the global dimension of human rights struggles:

The issues of human rights and individual freedom challenged forms of government as dissimilar as those of the Soviet Union, colonial Africa, Asia, Latin America and the United States. The Negro freedom movement reflects this world upheaval within the United States. It is a component of a world era of change, and that is the source of its strength and durability.¹⁴⁸

In this passage MLK explicitly puts the African-American struggle for rights within a global human rights struggle and argues for an understanding of the different human rights struggles around the world as being part of the same global struggle for human rights. Stating that the global dimension of the human rights struggle is “the source of its strength and durability”, it can be understood that MLK’s understanding of the global dimension is an important factor in his conceptualization of the fulfillment of human rights.

MLK also underlines that the strive for equality and peace need to be understood as global concerns that require extension and application beyond national dimensions.¹⁴⁹ MLK argues that the racial discrimination that the African-Americans are facing in the US is the same racial discrimination that the people in for example the people of Vietnam and the Dominican

¹⁴⁶ King, *A testament of hope*, p. 327.

¹⁴⁷ King, *A testament of hope*, p. 327-328.

¹⁴⁸ King, “Hammer on civil rights”, p. 169.

¹⁴⁹ King, *A testament of hope*, p. 317-318.

Republic are facing due to the presence of US forces in their countries.¹⁵⁰ MLK concludes that white population in western countries “...don’t really respect anyone who is not white.”¹⁵¹, and he emphasizes that there must be a mutual respect between all human beings in the world. By stressing that the fulfillment of human rights does not just entail respectful treatment of one’s fellow citizens, but the respectful treatment of every human being in the world, MLK can be seen to emphasize the inherent aspect of universality within the human rights concept. In relation to Orend’s conceptualization of human rights, he also emphasizes the vital importance of universality as an inherent part of the human rights concept: every human being has human rights and every human being also has a duty to respect, protect and fulfill the human rights of all other human beings.¹⁵²

Another way in which MLK expresses a global dimension within his conceptualization of the fulfillment of human rights is by referring to the African ancestry of the African-American population.¹⁵³ MLK argues in a way African-Americans are in a way both Americans and Africans due to their mixed heritage, and he further argues that because of this the experience of African-Americans can be seen as having a universal quality to it.¹⁵⁴ By emphasizing this universality, MLK argues that “I have come to hope that American Negroes can be a bridge between white civilization and the nonwhite nations of the world[...]¹⁵⁵, and that African-Americans have an opportunity to help in the struggle for global peace and justice.¹⁵⁶

MLK argues that although he believes that the African-American population can help in the human rights struggles of other people around the world, he does not believe that those people could help the African-American population in their human rights struggle in the same way.¹⁵⁷ By referring to the domestic problems that other people in the world are facing and also by arguing that the US has more economic power than most countries, MLK concludes that other countries can offer little in terms of concrete assistance in the rights struggle of the

¹⁵⁰ King, *A testament of hope*, p. 317-318.

¹⁵¹ King, *A testament of hope*, p. 318.

¹⁵² Orend, *Human rights: concept and context*, p. 129.

¹⁵³ King, *A testament of hope*, p. 318.

¹⁵⁴ King, *A testament of hope*, p. 318.

¹⁵⁵ King, *A testament of hope*, p. 318.

¹⁵⁶ King, *A testament of hope*, p. 318.

¹⁵⁷ King, *A testament of hope*, p. 318-319.

African-American population.¹⁵⁸ He argues that from the perspective of the African-American population the global dimension is important to their national struggle for human rights mostly in terms of sympathy and identification.¹⁵⁹

To summarize how MLK conceptualizes the fulfillment of human rights it can be concluded that he highlights the role of duties within his conceptualization. This includes both an emphasis on the duties of institutions and people in power, with a focus on the importance of both legislative and executive action and the economic cost required in the fulfillment of human rights, and an emphasis on the duties of every individual human being in terms of always practicing respect towards every other human being (including oneself). Linked to the duties of individuals, MLK also conceptualizes nonviolence and love as desired strategies in order to fulfill human rights. Another way in which MLK conceptualizes the fulfillment of human rights is by highlighting the global dimension of human rights and different human rights struggles as an important strengthening factor and strategy in the fulfillment of human rights.

Assessing the usefulness and applicability of Orend's theoretical framework in analyzing how MLK conceptualized human rights, it has been an overall helpful and suitable framework for this investigation. The methodological categories established from Orend's theoretical framework is a good framework mainly because it helped cover many different aspects of MLK's conceptualization of human rights: both his philosophical understanding of human rights, how he viewed human rights in practice as well as how he conceptualized the fulfillment of human rights. Orend's theoretical framework was insufficient in understanding MLK's religious and collectivistic conceptualization of human rights. This can be explained by the fact that MLK and Orend operated within entirely different contexts and also partly different discourses.

¹⁵⁸ King, *A testament of hope*, p. 318-319.

¹⁵⁹ King, *A testament of hope*, p. 319.

5 Discussion

The focus of the discussion will be to address one of the aims of the investigation: if, and if so how, MLK's conceptualization of human rights has contributed to the human rights field. This can be done after having answered the research question of how MLK conceptualized human rights in the analysis section. The results from this deductive content analysis, in other words the answer to the question of how MLK conceptualized human rights through the use of Orend's theoretical framework, will be compared and contrasted to previous research on MLK's contribution to the human rights field.

In the analysis it was deduced that MLK conceptualizes human rights in a variety of different ways. He conceptualized human rights through a philosophical perspective but also offers a conceptualization of what human rights mean and entail in practice. Furthermore, he presents concrete strategies of how he thinks human rights can be fulfilled, in other words he presents a conceptualization of the fulfillment of human rights as well.

Since this investigation analysed *how* MLK conceptualized human rights, the deductive analysis was carried out based on the presupposed notion that MLK did, at least partially, express his ideas within a human rights framework. This assumption can be linked to the arguments of Jackson and Richardson, who both also argued that MLK operated within a human rights framework and not just within a US national framework and within the CRM.¹⁶⁰ Both Jackson and Richardson also argue that MLK pursued and contributed to economic struggles in the US in addition to the struggle for civil and political rights.¹⁶¹ This investigation also presents findings from MLK texts that expresses his involvement within the struggle for economic rights (see section 4.2.2). Furthermore, this investigation also highlights that MLK's conceptualization of the fulfillment of human rights included a deep understanding of the economic costs that the fulfillment of human rights entail (see section 4.3.1). The findings in this investigation has also

¹⁶⁰ Jackson, *From civil rights to human rights: Martin Luther King, Jr. and the struggle for economic justice*, p. 1 and 5 and Richardson, *Dr. Martin Luther King, Jr. as an International Human Rights Leader*, p. 471.

¹⁶¹ Jackson, *From civil rights to human rights: Martin Luther King, Jr. and the struggle for economic justice*, p. 3 and Richardson, *Dr. Martin Luther King, Jr. as an International Human Rights Leader*, p. 472.

lifted MLK's conceptualization of different categories of human rights as interdependent (see section 4.2.2), which is something that Jackson also emphasizes.¹⁶²

After the execution of this deductive content analysis the arguably biggest contribution of MLK to the field of human rights lies within his conceptualization of the fulfillment of human rights. MLK's continuous emphasis on nonviolence and agape, love in action, as strategies in the fulfillment of human rights (see section 4.3.2) should be considered important contributions to the field of human rights. The importance of MLK's strategies of nonviolence and agape is also highlighted by both Chacón and Richardson.¹⁶³

The results of the analysis show that MLK did contribute to the field of human rights, especially by conceptualizing human rights in both philosophical terms as well as in practical and strategic terms. One specific contribution of MLK to the human rights field is highlighted from the analysis of this thesis is the fact that MLK's conceptualization of human rights includes traces from both a tradition of natural law and from the more contemporary tradition of positive law. The mix of traditions in MLK's conceptualization of human rights is especially apparent in MLK's somewhat ambiguous view on how human rights are fulfilled: sometimes he states human rights are inherent in every human being or will inevitably be fulfilled, and sometimes he states that the fulfillment of rights require practical positive action (see section 4.1.3 and 4.3.1).

Similarly to this investigation, Richardson also argues that MLK's ideas of love and nonviolence (framed in this investigation as aspects of MLK's conceptualization of human rights) have roots within the tradition of natural law.¹⁶⁴ This investigation however, argues that MLK's conceptualization of human rights has grounding in both the tradition of natural law and positive law.

Linked to MLK's conceptualization of human rights rooted in natural law is the religious dimension of MLK's conceptualization of human rights (see section 4.1.3). The religious dimension of MLK's ideas and beliefs is also highlighted by Verney, especially in

¹⁶² Jackson, "Bread of Freedom": Martin Luther King, Jr. and Human Rights", p. 14.

¹⁶³ Chacón, "Civil Rights, Immigrants' Rights, Human Rights: Lessons from the Life and Works of Dr. Martin Luther King, Jr.", p. 483 and Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 473.

¹⁶⁴ Richardson, "Dr. Martin Luther King, Jr. as an International Human Rights Leader.", p. 483-484.

relation to MLK's belief in the philosophy of personalism.¹⁶⁵ MLK's belief in personalism is also emphasized in this thesis (see section 4.1.3), and is linked to MLK's conceptualization of human rights.

To conclude this thesis and to repeat the answer to the purpose of the thesis, it is argued through this investigation that MLK did contribute to the field of human rights, and especially the understanding of the idea of human rights (although MLK often framed his conceptualization of human rights in other words than through the use of the linguistic concept of human rights.) In terms of future research it would be interesting and relevant to apply the ideas and strategies of MLK to the current riots in the US.

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¹⁶⁵ Verney, *Black civil rights in America*, p. 66.

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