

P R E S I D E N T ' S R E P O R T

Welcome to the Winter Edition of *Australian Ethics*!

What's inside?

Collective deliberation 2

A seminar on space ethics 4

The "R" word 6

Illuminating ethics in a darkening world 8

National redress scheme for historical abuse against persons with disabilities 10

About the AAPAE 12

It's been a busy time lately for the AAPAE. We've just finished for the first time running an applied ethics stream at the annual conference of the Australian Association of Philosophy at the Australian Catholic University in Melbourne. We had almost twenty presentations, stretched over all four days of the conference, across a wide variety of topics connected to our stream's theme of *Power, Equality and Accountability*. The days were long—running from 9am to 6.30pm each day—but it was terrific to have an hour for each paper, and there was lots of fruitful discussion in the Q&A. Thanks to everyone who helped organise the stream, especially Adam Andreotta. While it was a great experience, we're hoping next year to return to an in-person AAPAE Conference.

In upcoming events, the AAPAE is supporting the *2023 AAPAE Tertiary Ethics Olympiad*, which is a terrific opportunity for tertiary students to learn how to argue constructively about ethics. If you or someone you know might be interested in taking part or coaching a team, see p.5 for more information and links. Feel free to email me with any queries you might have ([h.breakey@griffith.edu.au](mailto:h.breakey@griffith.edu.au)).

Thanks once again to Charmayne Highfield for another thought-provoking issue of *Australian Ethics*.

This edition covers a broad compass of important ethical issues. Kim Atkins explains the moral importance of 'collective deliberation' as a mechanism to confront work's inevitable challenges in a way that supports the workers' psychological and social safety and concrete freedom. Sunil Savur takes us out of this world in his discussion of space ethics, applying ethical thinking to the host of challenging issues that space exploration and utilisation raises. He asks whether we can learn from our mistakes on Earth to do better in space. Peter Davson-Galle tackles the ambiguity of the term 'respect'. He argues that the term is so slippery that we would do better to dispense with it, and simply articulate the particular type of attitude or behaviour which we propose. Chand Sirimanne emphasises the importance of resilience in the face of the world's dark realities, and how key ethical and religious understandings that originally accompanied mindfulness can help us develop this deeper wisdom. Finally, Joe Naimo considers the 2022 Disability Royal Commission Research Report—*Complaint mechanisms: Reporting pathways for violence, abuse, neglect and exploitation*. He argues for the need for a national redress scheme for historical abuses against those with disabilities.

Hugh Breakey

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Kim Atkins

## COLLECTIVE DELIBERATION: THE HUMANE FRONTIER OF MANAGEMENT

**C**ollective deliberation (CD) is a recent entrant to management in Australia. It is a form of collective consideration and decision-making that deploys a series of related insights about the nature of working, drawn from philosophy and psychoanalysis. It has the ultimate aim of embedding deep human wellbeing in the workplace.

CD is heavily influenced by the Hegelian conception of “concrete freedom”: a state of affairs where, a) the reflective human subject has control of her/his internal processes to a degree that allows them to be ‘in tune’ with oneself; and b) the external world is such that it allows the reflective subject to find oneself at home in it, alongside fellow subjects. Concrete freedom is expressed in a dynamic equilibrium between the internal states of the self-regulating subject and the external demands and opportunities of the social, physical world such that the human subject can thrive *qua* human subject.

In the modern workplace, this equilibrium is found, ideally, in the alignment of a worker’s psycho-social wellbeing with workplace practices and culture. To date, management studies have almost entirely failed to imagine any connection between workplace wellbeing and concrete freedom (a notable exception is Solari, 2018). However, employers across Australia now have legislative obligations to promote the psycho-social safety of their work-

ers, so alignment of psycho-social wellbeing and the workplace culture is imperative, and CD offers the way ahead.

CD’s psychoanalytic influences come from the field of the ‘psychodynamics of work’, in particular, the work of Christophe Dejours (Dashtipour & Vidaillet, 2017). Dejours’ insight was that working demands a specific kind of psychic effort, and when a workplace facilitates the exercise of this effort, working is convivial, cooperative and productive; workers are engaged and committed; and the workplace is safe, innovative and health-promoting. To this end, CD offers a structured process for bringing about and sustaining psycho-social safety in the workplace. In order to understand how, we first need to understand Dejours’ theory of what working is.

... working means bringing one’s position description  
“to life”  
by bridging the gap  
between the abstract  
and lived reality.

Dejours tells us that at its heart, working requires a particular type of psychodynamic effort in order to turn the abstract position description of a job into the reality of work outcomes. That effort is expended across physical, cognitive, emotional, moral and interpersonal domains. More specifi-

cally, “working consists in bridging the gap between the prescriptive and the real. ... the way to go from the prescribed to the real must always be invented or discovered by the working subject. Hence ... work is defined as what the subject must add to the prescription to reach the objectives that are assigned to him [her]” (Deranty, 2017).

In short, working means bringing one’s position description “to life” (Petriglieri & Petriglieri, 2022) by bridging the gap between the abstract and lived reality. However, to do this, the worker must negotiate numerous obstacles that occupy the gap, e.g., workspaces, technology, equipment, policies, regulations and, of course, other people with their points of view, expectations and behaviours.

Dejours calls this occupied gap the “real” of work; and because it poses a kind of resistance to the worker’s efforts, success in working is “overcoming the resistance of the real”.

But overcoming resistance requires complex psychic effort, namely, simultaneously identifying, coordinating, monitoring and assessing one’s own cognitive, physical, psychological, emotional and interpersonal states and behaviours with those of colleagues who are themselves exercising the same kind of psychic effort, in a physical and institutional context. It is no exaggeration then, to say that working is always complex, no matter how

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mundane the tasks may seem. Whether it is putting bread rolls into plastic bags on a production line or planning the next moon mission, work is complex because of the psychic demands it makes on the individual. This is precisely why any workplace can become dysfunctional and psychological harm can occur in any workplace setting.

Dejours maintains that in facing the resistance of the real we draw upon our innate practical intelligence to understand the challenges before us and solve the practical problems working poses. Each person brings their own unique, creative rationality to bear on the real. However, because working requires coordination with other people, and other people are part of the real of work, success can only be a collective achievement. Success in work—and therefore, workplace wellbeing—is achieved when workers share, recognise, understand and support each other's efforts and know-how in their striving to overcome the resistance of the real. For this reason, colleagues' regard for each other as competent workers is essential to psychic wellbeing in the workplace. In the absence of peer esteem, workers are stuck in a losing struggle against the resistance of the real and fail to achieve a healthy equilibrium.

This is one reason why work practices that force individuals to compete against each other are destructive to persons and ultimately, to the organisation's ability to adapt and grow.

Working inevitably elicits defensive strategies: unconscious coping strategies that aim at keeping the individual safe. Defensive strategies can be healthy when they allow the worker to endure and even celebrate the suffering entailed by working, for example, through the social value and self-esteem that comes from being regarded as a hard worker or a 'fixer'. However, where a worker is unable to exercise their practical intelligence or be recognised in the collective effort to overcome the resistance of the real, they will develop increasing maladaptive strategies that can lead to psychic disintegration. Just as work success is fundamentally a collective achievement, so is work failure. A humane workplace is one where the creative know-how and practical intelligence of workers is openly shared and brought to bear on decisions about workplace practice, policy and culture. And this requires a process of collective deliberation. Ultimately, the reason why we should practice CD is because that really is the way to create a psycho-socially safe workplace.

**So, what does CD look like?** CD is a process to establish an environment of 'containment', where workers are genuinely safe to expose their feelings and vulnerabilities, and participate in decision-making, openly, respectfully and authentically. The form that CD takes in any workplace can look different, but it will be a process that can demonstrate six principles:

1. The contributions of each person in formulating and sharing

their account of their subjective experiences in doing the work are recognised as having genuinely revelatory power.

2. When individuals genuinely engage, new ideas can emerge.
3. All participants have to agree beforehand that failures in the workplace do not simply result from incompetence or ill will, but also from genuine difficulties in doing the work (the real of work), that no-one yet has shown how to fix.
4. Everyone must speak effectively of their personal experience regarding difficulties in carrying out their work.
5. Everyone must have an authentic curiosity for what others may say about their subjective experience of the work.
6. Communication must genuinely search for understanding of what is/might go wrong.

Only when these principles are embedded in how the work is done, and CD becomes itself part of the real of work will a workplace truly be able to say that it promotes the psycho-social safety and wellbeing of its staff.

However, the real of work contains barriers to CD. Some of those lie within the individual, some lie between individuals and some function at the level of the workgroup; many are unconscious and defensive. Because CD entails examining and relinquishing maladaptive defences, people are understandably reluctant to do so unless the environment is safe for them.

(Continued on page 5)

## A SEMINAR ON SPACE ETHICS

Sunil Savur

The International Space University (ISU, <https://www.isunet.edu/>) in Strasbourg, France is a non-profit institution dedicated to promoting the peaceful exploration and development of space through intercultural and interdisciplinary space education. To further advance space education globally, the ISU in conjunction with the University of South Australia (UniSA) has presented the Southern Space Studies Program (SHSSP) since 2011.

The SHSSP embodies the international, intercultural and interdisciplinary educational philosophy of the ISU, and provides a multidisciplinary understanding of the key activities and areas of knowledge required by today's space professions. Areas such as: space science, exploration, applications and services; human spaceflight and life sciences; space systems, engineering and technologies; space policy, economics and law; space humanities, communications, arts and culture; and space business and project management.

The ISU and UniSA invited me to deliver a lecture-seminar on 'Space Ethics' at the 12<sup>th</sup> edition of the SHSSP hosted at the Mawson Lakes campus of UniSA in Adelaide in early 2023. The seminar was attended by 38 participants from 15 countries comprising professionals in industry, government and the defence services as well as graduate researchers and later-stage undergraduate students.

After the successful *James Webb Space Telescope* launch in 2021 and the *Artemis-I* in 2022, several other test flights and missions are planned for 2023—such as the OSIRIS-REx spacecraft returning to Earth with an asteroid sample and a mission to another asteroid to learn about its composition and determine if iron and/or nickel are present. Also in 2023, a new mission to Jupiter, Blue Origin's (Amazon) plan to launch 3,000+ satellites, a mission to find life on Venus, more lunar landers and other commercial ventures such as Musk's SpaceX and more options for the cashed-up space tourist.

The SHSSP was, therefore, an opportune time to discuss space ethics. Space ethics is key to understanding how we should behave and conduct ourselves in space. Sadly, the history of humankind in the exploration of Earth has shown that humans are capable of unethical, unsustainable and irresponsible conduct in the search of "new" land and resources. The question is, on reflection and with hindsight, can we do better in space? My lecture began with ethical theories and concepts and then elaborated on some specific

**Just because we can do certain things in space, does not mean that we should**

ethical issues in space exploration. Some of the content delivered was developed in collaboration with Dr Jacques Arnould, Ethics Advisor for the French Space Agency, Centre national d'études spatiales (CNES). Key points about space exploration raised were:

- \* Evolved from being a "political status" to "furthering science" to "understanding where we came from" to "big business"
- \* Is it politically and economically worth it?
- \* Is it good? If so, why and for whom?
- \* Can we trust ourselves to heed the lessons of the past and do better now and into the future (better than we have done in the past)?

Using a combination of concepts such as utilitarianism, deontology, virtue ethics, stakeholder theory, sustainable development and responsible leadership, the seminar explored specific space issues, including:

- \* Space debris
- \* Military use of space
- \* Protecting Earth from asteroids
- \* Search for Extraterrestrial Life (ETL)
- \* Responsible exploration
- \* Commercialisation, privatisation and new nations
- \* Long voyages to planets and stars

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An environment that is safe to practice CD is one of containment: “Containment occurs when the context absorb(s), filter(s) or manage(s) difficult or threatening emotions or ideas—the contained—so that they can be worked with ... Containment tempers disturbing affect and releases people’s capacity to process and integrate unpleasant experiences rather than deploying defenses ... When containment is available, people can trade valuable fictions for uncomfortable truths, tolerate diverging views, and experiment with a way of relating, and a future, different from the familiar past” (Petriglieri & Petriglieri, 2022).

Creating an environment of con-

tainment is a collective achievement. It demands skilled participation and processes that allow people to be “being psychologically present” to each other (Kahn, 1992). When we are psychologically present, we are:

- Attentive and open to others’ words, behaviours, and experience, and not distracted or closed down by our own anxiety or defensiveness
- Connected to other people and their concerns in such a way that we can empathise
- Integrated as a person ourselves so that we can engage by drawing upon the appropriate parts of our own character
- Focused on what other people need, within the boundaries

constructed by the work role, situation, and relationship, and not hiding from reality.

Through these processes, CD promotes and protects psycho-social safety in the workplace. It allows the expression of concrete freedom by enabling workers to achieve a dynamic equilibrium between their internal efforts and states and the external demands and opportunities of their workplace. Embedding the practice of CD is the humane frontier of management.

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**References:** Please contact the author direct for a list of references.

The **AAPAE Ethics Olympiad** will be held via Zoom on the 5<sup>th</sup> of October 2023. Graduate and Undergraduate University students are invited to enter teams to represent their tertiary institution. Any tertiary institution can participate, but there is a maximum of two teams from each institution allowed to enter. During the day, all will be involved in a series of three heats where they will be scored according to set criteria that rewards, clear, concise, respectful discourse around interesting ethical cases. Gold, Silver and Bronze medals will be awarded to the top three teams. For more information, visit: [https://ethicsolympiad.org/?page\\_id=1458](https://ethicsolympiad.org/?page_id=1458)

(Continued from page 4)

\* Human settlements on the Moon, Mars and beyond

These issues were discussed within the context of the UN Outer Space Treaty (OST) of 1967 that specifies the principles governing the activities of states in the exploration and use of outer space including the Moon and other celestial bodies. Further agreements and conventions in 1968, 1972, 1975 and 1979 elaborate on the

rescue of astronauts, return of astronauts and objects launched into outer space, liability for damage caused by space objects, the registration of objects launched into outer space and the governing of activities on the Moon and other celestial bodies.

We know what we should do, it is now up to everyone in the global space community to ensure that we apply what we have learnt from our earthly mistakes and avoid acting unethically (or failing

to act) as we venture beyond our home—just because we can do certain things in space, does not mean that we should.

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## THE “R” WORD

Peter Davson-Galle

**M**y message here will be that what is meant by ‘respect’ is obscure, the obscurity can cause confusion and mis-communication, clarification is pointlessly time-consuming and it is better to just avoid the jargon, even if it gives one a nice warm glow inside. Why not just put one’s point using whatever concepts one would appeal to were one to be asked what one meant when one spoke of respect? Given the potential that there is for misunderstanding, the elements of that definitional story would probably have to emerge sooner or later and it might as well be sooner and pre-emptively of questions being asked as to what was meant.

To see why I think that there is a problem with ‘respect’, I will offer some analytical comments. I am not going to give a laborious conceptual analysis of ‘respect’ in its multiple applications and meanings. What I will do instead is choose one scenario for one profession and suggest that similar sorts of problems (to those arising in our illustration) would arise also in many other scenarios and professions.

So, consider the case of a social worker, Paul, working in an indigenous community which has still retained much of its traditional belief system concerning the workings of the world, religion and morality. Paul is instructed by his superiors that, in carrying out his work, he must be respectful of these traditional beliefs. Just what

is he being instructed to do?

Two things are worth distinguishing immediately: how one *thinks* is one thing and how one *behaves* is another.

On the face of it, respect looks like a *mental* quality, a mental attitude towards something or someone. So, on this line of analysis, Paul is being instructed as to what to *think*. What, then, would count as Paul engaging in respectful *thinking* concerning these traditional beliefs?

One thing that can be swiftly ruled out is the suggestion that Paul is being instructed to think their beliefs to be true (if what we have in mind are descriptive propositions) or to share their ethical code (for moral propositions). I will focus just on the case of descriptive propositions, although some of the discussion applies to moral ones as well.

The *descriptive* components of their belief system might be simply false, or, at the very least, without any clear warrant as true. It is somewhat strange, indeed futile, to ask Paul to override his rational faculties and adopt a set of beliefs that he realises to be false or without justification. Such belief shifts are not subject to such imperatives. Even if someone told me that I would die unless I believed that the earth is flat, I can’t just sit down and change my belief as an act of will. So whatever else mental respect might involve, it had better allow that one might ‘respect’ another’s descriptive beliefs *despite* thinking them false or

irrational.

It is worth raising, and rubbishing (without intellectual ‘respect’ in any sense perhaps) one view that sometimes gets appealed to here. It amounts to a form of relativism about truth. So, we get this sort of thing said: ‘Paul should realise that, although the indigenous beliefs are beliefs that are not true *for him*, they are true *for them*’. Even if initially appealing, one should realise that this is ridiculous as soon as one begins to push things a bit. Say that one of the traditional beliefs is that the earth is flat (and that Paul shares the modern scientific view that it is ‘round’, or, to be more precise, an oblate spheroid). Is it being claimed that he should believe that, although it is true for him that the world is round, for them, it is true that the world is flat?

***Lots of professions waffle on about respecting clients, or cultures, or beliefs, or ... ; quite what might this come down to?***

This seems contradictory. If to say that a belief is true is to say that it

(Continued on page 7)

(Continued from page 6)

captures some aspect of what reality is really like, then, as the world can't be both flat and round, saying that the indigenous belief system (or that particular bit of it) is true for them can't be using 'true' in any such ordinary way. (Note that one could allow that someone *thinks* something to be true without at all being committed to the view that it *is* true.) Given this perversity of usage, I suggest that one doesn't even consider confusing the thinking of all concerned by talking in this 'true for him but not for me' type of way. There is a considerable literature on the topic of relative truth (including a book by me: '*The Possibility of Relative Truth*', Ashgate, 1998) but it is a quite technically complex topic and I would suggest discretion is the better part of intellectual valour here.

So, if respecting their belief system's *descriptive* propositions can't mean believing all of them to be true (or 'true for them') because some will be false and/or irrational, what could be meant?

All that might be meant is thinking that, although some of what they believe is false, nonetheless, that is *their* business and it is no part of Paul's business to ... well, what? If he thinks their belief to be false then, as we have seen, presumably that is okay. So, perhaps the idea is that he is to believe that people should not have their false beliefs challenged, that they should be able to continue to be deluded without being made aware of why their beliefs are

false. I have said that 'respect' is a muddy notion but even in some fairly un-analysed and intuitive sense, this sounds more like an exercise in patronising, than respecting, someone's beliefs. Why should they be deliberately kept from knowing the full story on some matter (the shape of the earth, in our illustration)? Why would one want Paul to believe that such a policy of continuing their ignorance is a good thing?

Perhaps the motivation here is that, if indigenous believers were apprised of the correct story, then they might change their views. But so what? Isn't the move from ignorance to knowledge an intellectual step forward? Perhaps the idea is that 'ignorance is bliss', that an abandonment of false belief might lead to a loss of cultural self-confidence, social breakdown or whatever. It is not clear, however, that a culture based on falsehood is worth preserving. And on the debate goes.

My point is that it looks lovely to say that Paul should 'respect' their (descriptive and false) beliefs but if the unpacking of that goes down a path such as the above, then the 'loveliness' of what he is being asked to think becomes highly contentious.

In any event, how is it a proper professional ethical demand upon Paul to try to dictate his *attitude* to the question: 'should people be able to continue in false belief without any attempt to apprise them of the objections to these beliefs?'

In short, if expecting or demanding that Paul respect others' be-

liefs amounts to trying to constrain Paul's own *thinking*, his views as to the proper reaction to false believers, then is such attempted censorship of his thought really able to be sanitised by calling it a demand for respectful thinking?

As I have said, all that I intend in all of the above is to 'start some hares running' and suggest that demanding that Paul be respectful of others' (descriptive, but false) beliefs looks odd if it is a change in his *mental attitude* that we are demanding.

Perhaps, though, it is not respectful *thinking* that is demanded but respectful *behaviour* (including verbal behaviour). So, even if Paul thinks that the indigenous belief system is primitive rubbish and that only the wilfully dim-witted would not have chucked it on the scrapheap of false theories long ago, he had better, *qua* respectful social worker, keep those thoughts to himself. So, it is not mind control but *behaviour* control that is intended. And, as a matter of *professional* ethics (as opposed to general agent ethics), even if it is a good idea for a deluded indigenous group to have their false descriptive propositional beliefs challenged at some stage by someone (perhaps those in educational institutions), it might be insisted that Paul, *qua* social worker, should be no part of such intellectual remediation. It is, then, not so much that Paul should respect their false descriptive beliefs as it is that he should *treat* the believers in a certain way – "with re-

(Continued on page 11)

Chand R. Sirimanne

## Illuminating ethics in a darkening world

With the threat or promise of AI taking over the world and becoming our exterminator or saviour, at no time in our history have we needed a universal set of ethics so urgently. But why are we so allergic to ethics? It is a worthwhile topic to ponder. Societies and civilisations cannot exist without ethical standards—all have legal systems arising from ethics and religious beliefs. This confluence of ethics with the unappetising labels of institutionalised religions combined with our worship of materialism, science and technology is probably the main reason for the image problem. Moreover, legal systems rarely embody the best aspects of humanity—caring, compassion, selflessness and acceptance of others. Ethics has become increasingly lacklustre in a darkening world where unbridled hedonistic conduct and lifestyles are admired and emulated. Thus, a system of ethics with illuminating, spiritual and therapeutic qualities, that transcends legal systems, untainted by religious dogma, cultural and nationalistic delusions and materialism is needed.

There are of course laws, guidelines, codes of conduct and ethics embedded in every profession, business and workplace. But people tend to keep within these guidelines mainly out of self-interest—protecting one's job, retaining customers, avoiding complaints and lawsuits, in a quest to improve the bottom line—creating a culture of insincere public relations, vacuous co-operation and

ticking boxes. Other contributing factors include galloping consumerism and unprecedented developments in science and technology that have elevated materialism to the status of a super religion. Today, the attitude that ethics is outdated and superfluous is prevalent in almost every part of the 'free' world.

Our overall disenchantment with ethics is also reflected in the media and even in the language we use for ethical conduct, such as 'goody goody', 'goody two shoes', 'Choir Boy', 'Boy Scout', 'prude' and 'woke', used by some as derogatory terms for advocates of acceptance, equality and justice for all. Harmful conduct towards oneself and others is widely portrayed as fearless, admirable, humorous, interesting and even glamorous in literature and other media, whereas ethical behaviour is rendered as boring, lifeless, timid and stultifying. In Australia, self-destructive activities, such as excessive drinking, drug use and gambling, are tacitly accepted or even condoned as larrikin behaviour ignoring the damaging consequences for individuals and society.



**Our overall disenchantment with ethics is reflected in the media and even in the language we use for ethical conduct**

Undoubtedly science and technology have brought immense benefits—cures for innumerable diseases, longer life expectancy and countless comforts. In combination with this, a relatively long period of peace and prosperity particularly in the West have irrevocably changed our perspective on the nature of existence. Not so long ago, old age, illness, suffering and death were accepted as inextricable parts of life whereas now the prevalent view is that science and materialism as the replacement for God will provide solutions to all human ills. One of the positive aspects of religions is engendering acceptance of the dark realities of life and the resilience that comes with this acceptance. Instead, materialism and rampant consumerism promote the idea that happiness is the fulfilment of all desires and our inalienable right.

Once institutionalised, however, religions gradually lose their luminous spirituality, and their most superficial, dogmatic and ritualistic characteristics are emphasised, shaped by politics, ethno-cultural and national identities with intolerance of others. Hence, it is both necessary and desirable to shed the toxic, delusional and harmful layers of religions but retain their ethical and spiritual qualities. Furthermore, we need to upgrade ethics to integrate the rights, tolerance and liberal attitudes achieved through better knowledge and great struggles over time making them much

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more inclusive, flexible and compassionate.

Karl Marx's famous 'opium' comment in his *Critique of Hegel's Philosophy of Right* (1843) is often quoted to justify disdain of religion although the rest of the text sheds light on his more understanding stance: "...Religion is the sigh of the oppressed creature, the heart of a heartless world, just as it is the spirit of a spiritless situation. It is the opium of the people. The abolition of religion as the illusory happiness of the people is required for their real happiness...". There is of course merit in his observation as indicated by much of history, but unfortunately the decline of religions with materialism, science and technology as alternatives for a majority have not been a great improvement because now we have a burgeoning mental health crisis coupled with health care systems buckling under numerous burdens. Consequently, the drugs and addictions, both legal and illegal, that has replaced moderate religion are more harmful.

Looking at religious faith and ethics purely from a therapeutic perspective, it is worthwhile noting the research indicating religious people have better mental wellbeing, enhanced physical health, and longer life expectancy. A crucial factor could be the community connections it provides, and even attending a place of worship and prayer—a tiny oasis of silence and rest for the ego and a glimpse of something higher than the rat race. From a psychological per-

spective, belief in an omniscient deity or deities looking after one has been shown to be an effective coping mechanism when facing the many tribulations of life. Most of all, belief in an afterlife has a strong psychologically therapeutic benefit (illusion or not) as more research from medical professionals demonstrates (e.g., Dr Bruce Greyson's *After*, 2021), as the fear of death lies at the heart of all our anxieties and much time and effort are expended not to confront the inevitable.

From an ethical stance, belief in an afterlife (heavens, hells of all religions, rebirth, reincarnation, dependent origination) tends to be, for many, an incentive for ethical behaviour and a deterrent for harmful actions. In Buddhism where an overseeing deity is absent, kamma (karma) and dependent origination play this role of deterrent. Interestingly, despite the overall popularity of Buddhism in the contemporary West, kamma, dependent origination and morality that are the foundation for meditation, are the least popular and often discarded aspects. In addition, the ubiquitous mindfulness used today in psychotherapy adapted from the Buddhist sati, is overall disengaged from its source where it is an intrinsically ethical (benevolent) mindset rather than simply awareness. Thus, the immeasurable therapeutic value of ethics for psychological health is ignored citing paternalism and impeding individual liberty although harmful behaviour has not only legal and social ramifications but gives rise to destructive guilt, remorse

and self-hate.

Science, technology and religions are not the crux of the problem—it is undoubtedly us, their creator. Given the noxious history of institutionalised religions, a new system of ethics, minus the bigoted and discriminative aspects, needs to be developed and taught from the earliest stages of education. All religious commandments and precepts are contained in the Golden Rule—non-harm to self and others, applicable to both real and virtual worlds as motive is key. Already young children are taught secular mindfulness, adding genuine compassion, understanding and acceptance of oneself and others to these teachings can generate the ethics we need to illuminate the darkness of the world.

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**References:** Please contact the author direct for a list of references.



## AAPAE Listserv

If you have any information or notices that you would like us to relay to your peers, please email your request (word format) to: [info@aapae.org.au](mailto:info@aapae.org.au)

**The AAPAE's Listserv has over 700 subscribers locally and overseas.**

## NATIONAL REDRESS SCHEME FOR HISTORICAL ABUSE AGAINST PERSONS WITH DISABILITIES

Joseph Naimo

The history of disability is a history of trauma from inhumane treatment and dehumanising practices. Descriptively and pervasively, there exists an unconscious bias which manifests dichotomously between ability and disability. The result of which dichotomises ‘normal and abnormal’ into distinct categories. This renders having a disability as undesirable, which detrimentally serves to dehumanise persons with disabilities. This generates an attitudinal opposition to inclusion, and consequently, people with disabilities are typically viewed as lesser-able, lesser-human or worse, and indignantly, as abnormal. This might explain, though not justify, why the litany of abuse, violence, and despicable treatment of people with disabilities continues to this day.

Not surprisingly, that is what has been revealed in the Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disabilities is merely the tip of the iceberg. Sadly, persons with severe disabilities are still subjected to various forms of restrictive practices, including deprivation of liberty, as well as chemical, physical and psychological abuse. Inflicted harm is amplified through poor care management, enabled by systemic injustices, manifestly evident, by the failings of the safeguard institutions.

The Disability Royal Commission *Research Report – Complaint mechanisms: Reporting pathways for violence, abuse, neglect and exploitation* (November 2022) (hereon Report) identifies the systemic problems attributed to the failures impacting the lives of people with disabilities. In summary, I consider three factors identified in the Royal Commission Report that require priority rectification. They are: a) *The Structural Drivers of Violence and Complaint Mechanisms*. b) *Complaint Mechanisms, Equality before the Law, and Legally Authorised Violence*. e) *A National Redress Scheme*.

Among the structural drivers of abuse, violence and exploitation experienced by people with disability, in part, results from segregation and institutionalisation. Somewhat insidiously, complaint mechanisms, even when designed with good intention according to the Report “... can be poorly equipped to deliver either individual rectification or the large-scale transformational change required to address and prevent violence, abuse, neglect and exploitation” (2022, p2). Compounding matters, in achieving equality, inclusion, and justice, become apparent from the Report’s second conclusion, b) *Complaint Mechanisms, Equality before the Law, and Legally Authorised Violence*. The examination exposed func-

tional problems with the complaint mechanisms rendering them not fit for purpose. Since the purpose they fulfil fails to capture and prevent inflicted harm. Evidently occurring “... because many complaint mechanisms are non-independent and combine regulatory oversight with complaint resolution processes. They are thus potentially established with a policy goal to regulate services and maintain codes of conduct, and not necessarily designed to respond to violence, abuse, neglect and exploitation from a victim-centred and justice-focused perspective” (2022, p2). In other words, two standards of justice are in play, one for abled bodied persons (in this case, service providers, and safeguard institutions), and the other, a masked version that obscures the lives of people with disabilities and treats them disdainfully as a result of inappropriate, if not dysfunctional, safeguard institutions. The moral failings in what has been exposed is reprehensible.

So how can equality of justice and inclusion be assuredly obtained for persons with disabilities? That aim, as the Report concludes, may require, e) *A National Redress Scheme*. The structural injustices and associated discrimination that people with disabilities have been historically subjected to is fuelled by a pervasive ableist attitude. The Royal Commission identifies there is a need for “... governments and society to acknowledge

(Continued on page 11)

**So how can equality of justice and inclusion be assuredly obtained for persons with disabilities?**

(Continued from page 7)

spect”, so to speak.

This looks like progress; at least we have some sort of grip on what might be meant here. The analytical elements that seem to have emerged so far are that Paul is not to say that their beliefs are false (even if he were to give reasons) or behave in any other manner that suggests that the beliefs are false. Perhaps though, it is a weaker suggestion: that, although he cannot *initiate* such remarks, he is able to offer them *if asked* things like: ‘do you think, as we do, that the earth is flat?’ It is hard to see what he could do but say: ‘no’. Perhaps he is supposed to dissemble as to the belief-worthiness of various views and offer something more “diplomatic” like: ‘no, but of course that is just my point of view and I recognise that there are other beliefs, like yours, that are equally legitimate’. But this is to ask him to lie in his teeth. The belief that the earth is not flat is

not just his view and the rival ‘flat-earth’ view struggles to be called ‘equally legitimate’ if by that is meant anything like that it satisfies defensible standards for the justification of belief claims.

So, is he just to say: ‘no’ (and nothing more) on the grounds that it would be disrespectful to say anything further? Perhaps so, but perhaps this is being, in another sense, *dis*-respectful. Again, it sounds close to being patronising in that it sounds like the topic of the falsehood (even the near certain falsehood in our scenario case) of their beliefs is one to be avoided as, well, what? — too threatening to their self-image, or self-respect, or cultural stability or something of that sort? Anyway, the idea is that the truth of the matter isn’t something they could cope with.

Anyway, I hope that the above ‘talking aloud on the page’ analytical exercise illustrates how a fairly common professional “buzz word” is problematic in ways that

can be simply overlooked by thoughtless sloganising in its terms. Of course, the above is only illustrative and by no means constitutes a thorough analysis. Such an analysis is beyond the scope of this note and, as I have said, problems could be avoided anyway by simply and explicitly *saying just what it is that one wants Paul to do using less junk-jargon* (and saying whatever it is that one would appeal to if asked what respecting meant).

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(Continued from page 10)

the role of historical injustices committed against people with disability in creating the conditions for current mass scale violence” (2022, p3). As such, the Report concludes that a “National Redress Scheme would serve an important role as both a form of transitional and transformative justice, and as an additional pathway for reporting violence, abuse, neglect and exploitation that is historical in nature” (2022, p3).

Likewise, as indicated in the Report, an immediate necessary step is to secure “... an independent complaint mechanism to respond to violence, abuse, neglect and exploitation, with strong perceived independence, neutrality, transparency, trustworthiness, effectiveness and capacity to support and recognise the voice of complainants” (Report, 2022, p3). No independent complaints agency exists anywhere throughout Australia. An omission, in itself, damnable for the wilful ignorance

betrayed in what, arguably, constitutes negligent conduct from those responsible to protect and uphold the safety of persons with disabilities.

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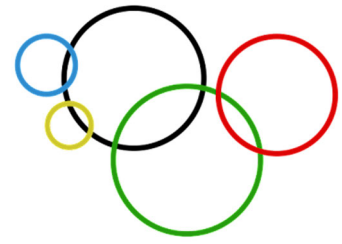
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PROFESSIONAL AND APPLIED ETHICS

### *Australian Ethics*

is published by the  
Australian Association for  
Professional and Applied Ethics

ABN: 91 541 307 476

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The AAPAE fosters and publishes research in professional and applied ethics, as well as attempting to create connections with special interest groups.

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