

2018

THE MEDIA'S FAILURE TO REPORT ON RELIGIOUS VOICES IN THE
PUBLIC SQUARE The euthanasia debate as a test case

Margaret Somerville

University of Notre Dame, Australia, margaret.somerville@nd.edu.au

Follow this and additional works at: <https://researchonline.nd.edu.au/undalr>



Part of the [Health Law and Policy Commons](#), and the [Law and Society Commons](#)

Recommended Citation

Somerville, Margaret (2018) "THE MEDIA'S FAILURE TO REPORT ON RELIGIOUS VOICES IN THE PUBLIC SQUARE The euthanasia debate as a test case," *The University of Notre Dame Australia Law Review*: Vol. 20 , Article 2.

Available at: <https://researchonline.nd.edu.au/undalr/vol20/iss1/2>

This Article is brought to you by ResearchOnline@ND. It has been accepted for inclusion in The University of Notre Dame Australia Law Review by an authorized administrator of ResearchOnline@ND. For more information, please contact researchonline@nd.edu.au.



THE MEDIA'S FAILURE TO REPORT ON RELIGIOUS VOICES IN THE PUBLIC SQUARE: THE EUTHANASIA DEBATE AS A TEST CASE

MARGARET SOMERVILLE *

I EXAMPLES OF UNBALANCED REPORTING OF VOICES IN THE PUBLIC SQUARE

Good facts are necessary for good ethics, so let's start by taking the current euthanasia/physician-assisted suicide debate in Australia as a situation in which to explore the media's unbalanced reporting in their failure to report anti-euthanasia voices – often religious ones – in the public square in this debate, and their fulsome reporting of the pro-euthanasia voices. It shows the very one-sided, pro-euthanasia approach taken by the media, whether by reporting and supporting the pro case or suppressing the anti-euthanasia one.

Sometimes, suppression of the anti-euthanasia arguments is overt and direct. Andrew Denton is a well-known Australian media personality. He is a television

* Acknowledgement: I acknowledge with gratitude Pascal Moussa, student-at-law, The University of Notre Dame Australia (Sydney campus) and thank her for research assistance with this article. I am also grateful to an anonymous reviewer for many perceptive suggestions for improvement of this article and to Professor Sandra Lynch and Timothy Smartt of the Institute for Ethics and Society at the University of Notre Dame Australia for many suggestions for improvement of the article.

producer and presenter, comedian and former radio host, and was the host of the Australian Broadcasting Corporation's (ABC's) weekly television interview program 'Enough Rope'. Until illness forced him to withdraw from public advocacy in mid-2017, his campaign to legalize euthanasia in the Australian state of Victoria was a prime example of using the media to promote the pro-euthanasia case by evicting religious voices from the public square.¹

The Australian newspaper reported 'Andrew Denton tells church to get out of euthanasia debate'² and the ABC website announced that 'Andrew Denton has lashed out at a 'subterranean Catholic force' of politicians and businessmen who he claims continue to thwart attempts to allow legally assisted voluntary euthanasia in Australia.'³ This is a strategy of many pro-euthanasia advocates, which can be summarised as 'label as religious – in particular, Roman Catholic – and dismiss' tactic.⁴ It is applied to both members of the public with religious beliefs and clergy.

Denton's choice of the word 'subterranean' and his linking of it to Catholicism is also part of this strategy. It elicits connotations of dark secrets, fear of unseen forces and even evil-doing in connection with religion and, therefore, promotes the position that religious views should be excluded from public debate. In choosing to report this description of Catholicism, the media subtly support and help to implement Denton's goal of excluding religion from public and social policy

¹See generally: Andrew Denton, 'The Damage Done: The Price Our Community Pays Without A Law For Assisted Dying' (Speech delivered at the National Press Club of Australia, Canberra, 10 August 2016).

²Joe Kelly, 'Andrew Denton tells the church to get out of euthanasia debate', *The Australian* (Online), 11 August 2016 <<http://www.theaustralian.com.au/national-affairs/health/andrew-denton-tells-church-to-get-out-of-%20euthanasia-debate/news-story/79d96ef36771d7591fa850304b600966>>.

³Michael Edwards, 'Andrew Denton lashes out at 'subterranean Catholic Force' blocking voluntary euthanasia laws', *The Australian Broadcasting Corporation* (Online), 10 August 2016 <<http://www.abc.net.au/news/2016-08-10/denton-blames-'catholic-force'-blocking-voluntary-%20euthanasia/7718152>>; See also, Denton, above n 1.

⁴See e.g. Margaret Somerville, *Bird on an Ethics Wire: Battles about Values in the Culture Wars* (Montreal & Kingston McGill-Queen's University Press, 2015) Ch 1.

debates.

The strategy is founded on the argument that religious beliefs are unacceptable as an informing principle for decisions about values, other than purely personal ones, especially those decisions relevant to public and social policy, and, consequently, that religious people's voices should be excluded from public debate.

This is a strategy used to avoid addressing the arguments or views of people with religious beliefs, whether or not their arguments and views are religiously based – they and their arguments are dismissed simply on the basis of having a religious affiliation. The media articles opposing Denton's stance and arguments are few and far between.

The assumption underlying this strategy and purportedly justifying it include that people who have religious beliefs are puppets of their Church, that is, unthinking, uncritical automatons. The claims made for exclusion of religious views also imply that such views have no rationally justifiable basis and that faith-based views are not open to rational interrogation.⁵

A companion strategy, often linked with the 'dismiss on the basis of religion' one, is to label the person who disagrees with so-called 'progressivist' values in a highly derogatory way. This is common in the same-sex marriage debate. People who oppose legalizing same-sex marriage are characterized as homophobic, bigots, hateful, and so on. Sometimes this can be quite personal: a play on my last name converted it from Somerville with two 'l's' to Somervile with one.⁶

Denton's strategy to dismiss an argument on the basis of its coincidence with religious belief, overlooks the role that a belief system plays in many people's

⁵I am grateful to an anonymous reviewer for this insight.

⁶For examples of the personal attacks launched by such dissenters against the author, see: Somerville above n 4, 29-30

decision-making in relation to many issues, especially ones involving values choices; for example, secularism and atheism are belief systems, yet the views of their adherents in the debate on same-sex marriage or other contentious issues are not automatically dismissed for being such. Nor should they be, because in a democratic society everyone has a right to a voice in the public square. To silence people because they are religious is anti-democratic and discriminatory, just as silencing atheists and secularists would be.⁷

If Denton has good substantive arguments against the positions of his opponents, Catholic or otherwise, he should present them and show why these people's arguments should not prevail, not try to suppress them. Indeed, his efforts to do the latter raise the issue of whether he believes his arguments will fail if they are competently challenged.

To offer a personal experience as an example, although I never argue from a religious base I am often labelled as religious in an attempt to dismiss me and my arguments, one opponent having publicly described me as 'a secret agent of the Vatican'.⁸ That characterization was justified simply on the grounds that my arguments against euthanasia coincided with Catholic moral and ethical positions on the topic. Likewise, on a nationally broadcast ABC television program Q&A discussing, inter alia, legalizing euthanasia, the host asked me what religion I was although he did not ask this question of any of the other four panellists.

⁷Margaret Somerville, 'Evicting religious voices from the public square is anti-democratic and discriminatory', *MercatorNet* (Online), 31 August 2016 <<https://www.mercatornet.com/careful/view/evicting-religious-voices-from-the-public-square-is-anti-democratic-and-dis/18598>>; See also Somerville, above n 4, 22-27.

⁸For instances of the author's views being dismissed on the basis of her religious affiliation, see: Udo Schuklenk, 'Reportedly Margaret Somerville is at it again in the Globe and Mail, celebrating her scholarship' on Udo Schuklenk, *Udo Schuklenk Ethx Blog* (23 November 2013) <<http://ethxblog.blogspot.com/2013/11/reportedly-margaret-somerville-is-at-it.html>>; Udo Schuklenk, 'Ouch, Marge Somerville is at it again' on Udo Schuklenk, *Udo Schuklenk Ethx Blog* (20 March 2009) <<http://ethxblog.blogspot.com.au/2009/04/ouch-marge-somerville-is-at-it-again.html>>.

II WHAT ARE SOME CAUSES OF THIS UNBALANCED REPORTING?

Why do the media fail to include religious voices in their reporting of societal values debates? After all balanced reporting, presenting both sides of the story, is the golden rule of journalism, which suggests that the eviction of religious voices from the public square is at best unprofessional or even negligent or unethical.

A *Ease of access and presentation of arguments*

The comparative ease of access to content for the story and presentation of the subject matter is one reason there can be an imbalance in reporting. Again we can look at euthanasia as an example: The pro-euthanasia case is much easier to present in the media than the anti- euthanasia one.

The case for euthanasia has been largely made through the media reports featuring suffering individuals who beg for euthanasia and to whom hearts rightly go out;⁹ we can imagine ourselves in the same situation and wonder what we would request.

Visual images are playing an increasingly important role in shaping public opinion and in decision-making, including values-based decision-making. The case against euthanasia is much harder to present in an effective way, especially visually. There are no visual images of the wider risks and harms of euthanasia – the risks to vulnerable people, the risks of its abuse, or its harm to important societal values:

⁹Go Gentle Australia, *Show Your Support And #BeTheBill* (18 September 2016) <http://www.gogentleaustralia.org.au/show_your_support_and_be_the_bil>; *Voluntary euthanasia advocates have launched an emotional national campaign before State Parliament considers the matter again next week* (Directed by Australian Broadcasting Corporation News, ABC1 Adelaide, 2016); Emma Alberici, Interview with Andrew Denton (Television Interview, 10 August 2016).

we cannot put a damaged society in a wheelchair and have it interviewed. Unlike the heart-wrenching claims of individual, suffering people requesting euthanasia, there are at present, few, if any visual images of its risks and harms at a more universal level or the risks and harms it will create in the future. Moreover, the fact that public debate on this issue is often conducted through the popular media might suggest that many people gain most of their information about the issues via the media and form their beliefs and opinions accordingly. That means those beliefs and opinions have been arrived at without taking into account considerations that cannot be visually presented.

The strongest case for legalizing doctor-assisted suicide and euthanasia is that made by Denton, which is that it is justified by the relief of the suffering of individual competent adults who want and give informed consent to it.¹⁰

But in deciding as a society whether to legalize doctor-assisted suicide and euthanasia, we must look beyond individual cases to consider far wider issues.

Importantly these are issues that the media ought to, but generally do not, report.

They include:

- the impact on fragile or vulnerable people – those who are old or live with disabilities or even those who simply perceive themselves as a burden on their families;
- the impact on suicide prevention of the normalization of suicide as an acceptable response to suffering; and
- what it means for society and our shared values to move from caring for those unable to care for themselves to killing them.

¹⁰Denton, above n 1.

B *Journalists own values intrude*

Might a second reason for failures to report religious voices be that most journalists, especially younger ones, are liberal values (so-called “progressive values”) adherents or even advocates? This values position involves a rejection of traditional or conservative values and the adoption of an informing principle – a mantra - of ‘control, choice, and change’, in particular at the level of the right of individuals to control, choose and change what happens to them.

The companion belief is that, to a very large extent, no one has the right to impose limits on a person’s exercise of ‘control, choice and change’. So progressive values adherents support, for instance, the pro-choice position on abortion, euthanasia, same-sex marriage, transsexualism, gender identification, absolute rights of individuals to reproductive freedom (an approach, at an extreme, of ‘if you want to have yourself cloned that’s only your business’), and just on the horizon pro-choice on genetically designing one’s children.

Correlatively, as social psychologist Jonathan Haidt shows in his book, *The Righteous Mind*,¹¹ adherents of progressive values reject history as a source of knowledge and possibly wisdom, regarding it as restrictive, likewise, for the same reason they reject authority, and they have no sense of the sacred. What is right or wrong always depends on the situation, including the personal preferences of those involved, utilitarianism – the greatest good for the greatest number – and moral relativism – nothing is absolutely right or wrong, it all depends on the situation, there are no absolute principles, givens or truths.

Given these facts it-s not difficult to see why they reject religion, which is historic-

¹¹Jonathan Haidt, *The Righteous Mind: Why Good People are Divided by Politics and Religion* (Penguin UK, 2012).

ally based, authoritative, necessarily acknowledges the sacred realm and searches for the Truth, which allows the identification of absolute rights and wrongs.

In contrast, conservatives generally value tradition ('human memory' or history), promote respect for authority and have a sense of the sacred – that is, they are committed to the continued existence of some corporeal or incorporeal entities that must not be laid waste, but held in trust for future generations.

Haidt's research shows that conservatives, unlike liberals, seek and use a sense of sanctity and eschew degradation, which are stances that allow humans to bond to form mutually beneficial, large, cooperative societies. Liberals must achieve this bonding in other ways and one of the contentions of this paper is that the media intentionally plays a role in strengthening such bonding among liberals and undermining it among conservatives through its selective reporting and non-reporting.

As I have argued elsewhere, human beings need to experience a sense of the sacred, whether as a religious sacred for those who are religious or a 'secular sacred' for those who are not.¹²

The concept of the secular sacred is one designed to recognise that the sacred is not only a concept that applies in a religious or ritualized context, but also one that operates at a general societal – or secular – level.¹³ I proposed it as a concept that, among other outcomes, might help us to find some shared ethics, including in relation to what respect for human dignity requires. It is a concept we should be able to endorse whether or not we are religious, and, if we are religious, no matter which religion we follow. Each of us needs to experience the complex interaction

¹²Somerville, above n 4, 94-96; See also, Margaret Somerville, *The Ethical Imagination: Journeys of the Human Spirit* (McGill-Queen's University Press, 2008).

¹³Somerville, above n 4 94-96; See also, Somerville, above n 12.

that occurs between our efforts to know ourselves, relate to others, appreciate our place in the great web of all life, and see ourselves as part of the earth, the stars, the universe, and the cosmos. The acute and continuous awareness of such an astonishing/overwhelming web of relationships is what I refer to as the 'human spirit.' In summary, the proposition here is that linking the secular and the sacred, by adopting a concept of the secular sacred, is a strategy that could help to unite everyone who accepts that some cherished or revered entities are sacred, whether they see the sacred's source as religious or purely natural or secular.

For those puzzled about the substance of a secular sacred, environmentalism provides an example. It offers an experience and sense that an entity, whether corporeal or incorporeal, in this case our physical ecosystem, must be held on trust and not laid waste or destroyed, that is, how we must value it and must not treat it.

Importantly, in looking at current values conflicts in the context of the euthanasia debate, the conflict example used in this paper, Haidt's analysis strongly indicates that progressives favour individual autonomy to a much greater extent than conservatives and that conservatives favour the common good to a much greater extent than progressives. Applied to the euthanasia debate, Haidt's conclusions translate into a conflict between giving priority to respect for individual autonomy (the pro-euthanasia position) and giving priority to respect for human life generally (the anti-euthanasia stance).¹⁴

So where journalists fall on the values scale between a commitment to respect for individual autonomy and respect for human life in general will influence the stance they take on euthanasia and communicate in their reporting about it. Moreover, if they are progressive values adherents, they are more likely to demonize religion

¹⁴Somerville, above n 4, Ch 4. See Especially, 146.

in general and emphasize the harm it does, while failing to recount the good. In addition, although progressive values adherents generally advocate for tolerance, that tolerance is demanded only for their own views, values and beliefs and not for opposing views, values and beliefs.

C The Power of Language: Journalists' choice of language is not neutral

Language is the primary tool of journalists and the use of concealing language in referring to euthanasia is a third reason the pro-euthanasia case is promoted in the media. Pro-euthanasia activists have developed language that conceals or softens the reality of what euthanasia involves – namely, intentionally inflicting death. They speak, for instance, of “doctor-assisted dying” instead of assisted suicide or euthanasia, an approach that can be called ‘euphemizing euthanasia’. Journalists have adopted this terminology, which, when many people unthinkingly use it, has solidified its use in the public square.

Choice of language is important and influential in the context of ethical debate. The terms we use can both reveal and condition our emotional and intuitive responses, which are important components in ethical decision-making. Arguments in favour of euthanasia claim that it is cruel to deny euthanasia to an individual who wants it and kind to provide it. This characterizes killing as kindness.¹⁵ Most of us want to be kind and none of us wants to be cruel or to approve or promote cruelty.

Pro-euthanasia advocates and the vast majority of journalists often use the neut-

¹⁵See e.g. Andrew Denton, ‘An Argument for Assisted Dying In Australia’ (Speech delivered at the Di Gribble Argument 2015, The Regent Theatre, 28 October 2015).

ral terminology of ‘physician assisted dying’ to refer to euthanasia.¹⁶ This usage plays on the valid presumption that almost all patients want and expect medical assistance when they are dying. But these advocates nonetheless assiduously avoid language referring to doctors inflicting death on their patients and even avoid using the word ‘death’; they also avoid the more graphic reference, mentioned above, to doctors being allowed to kill patients,¹⁷ as these latter descriptions rightly draw attention to moral and ethical concerns about this practice. And as we can see with Denton’s launch of a pro-euthanasia lobby group called, Go Gentle Australia, the terms used are more reminiscent of a catchline for an advertisement for Kleenex tissues or toilet paper, than advocacy for euthanasia.

Moral and ethical imperatives demand that we must react with compassion and care for people suffering from debilitating and life-threatening illnesses, but our reaction should be to kill the pain and suffering, not the person enduring the pain and suffering.

III WHAT QUESTIONS RELEVANT TO LEGALIZING EUTHANASIA ARE THE MEDIA AVOIDING?

A *Impact on respect for human life*

Underlying the three issues identified above as crucial to be addressed in ethical debate on the issue of euthanasia is the concept of respect for human life. The first question that must be asked in this regard is: ‘What would be the impact of legalizing euthanasia on upholding the value of respect for human life?’

¹⁶Ibid.

¹⁷Emma Alberici, Interview with Andrew Denton (Television Interview, 10 August 2016).

Discussions in the media, in political debate and in public fora rarely canvass this question and yet it is clear that legalizing euthanasia must damage the value of respect for life, which is foundational both to civic life and to medical practice. The concept of respect for life has two dimensions, both of which must be maintained: (1) respect for every individual human life, and (2) respect for human life in society in general. Maintaining the latter imperative is the reason that legalizing euthanasia is not just an issue involving individuals, although the media reporting and much public debate is asymmetrically focussed on individual cases.

In the past and at times when societies were more homogenous than at present, religion carried the value of respect for life for society as a whole, but in a secular, multi-religious, multi-cultural society such as Australia, the institutions of law and medicine carry this value. The law proclaims that you must not kill,¹⁸ and for nearly two and a half thousand years physicians have taken the Hippocratic Oath promising not to kill.¹⁹ It is beholden upon us to ask how the capacity of law and medicine to carry this value would be affected by a decision to change the law to allow the infliction of death and to permit doctors to do this.

B *Practical effects of legalizing euthanasia*

A second question that is often avoided in public debate and by the media asks: ‘What would be the practical effects of legalizing euthanasia in Australia?’

Most advocates of euthanasia propose that there is no danger in legalizing it because it will be rarely used and only in extreme circumstances; for example, Denton is reported as saying that the rate of use in Victoria will be similar to the Benelux

¹⁸ *Crimes Act 1900* (NSW) s18.

¹⁹ David Isaacs, ‘The Hippocratic Oath’ (2011) 47 *The Journal of Paediatrics and Child Health* 321 <<http://onlinelibrary.wiley.com/doi/10.1111/j.1440-1754.2011.02132.x/pdf>>.

countries, for which he provides statistics indicating that ‘less than 4 percent of deaths in The Netherlands were as a result of assisted death.’²⁰ Denton takes these figures to demonstrate that euthanasia is a rare outcome.²¹ However, if the same rate applied in Australia as in The Netherlands, using the more accurate figure of 3.6 percent, there would be around 5000 euthanasia deaths each year.²² To argue that this number of deaths would be a rare outcome is untenable and one would hope is likely to be seen as problematic and unacceptable by the Australian populace.

C *Impact of legalizing euthanasia on vulnerable people*

A third question often avoided by the media is, ‘What would be the impact of legalizing euthanasia on vulnerable people, especially those with disabilities or the fragile elderly?’

A recent Australian Broadcasting Corporation (ABC) website headline reads: ‘Elder abuse inquiry calls for power of attorney changes to stop children ripping parents off.’²³ The post continues that the Australian Law Reform Commission (ALRC) says, ‘A national register of enduring powers of attorney should be established to prevent greedy children from using the document as a “licence to steal” from their elderly parents.’²⁴ The ALRC were referring to their discussion paper which is part of their inquiry into elder abuse, which includes elderly persons being

²⁰Kelly, above n 2.

²¹Denton, above n 1, 7.

²²The Australian Bureau of Statistics reports 159,052 deaths were registered in Australia in 2015. Accordingly, 3.6 percent of this figure equates to 5725 deaths. See: Australian Bureau of Statistics, *3302.0 - Deaths, Australia, 2015* (28 September 2016) <<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/3302.0Main%5C%20Features32015?opendocument%5C&tabn%20ame=Summary%5C&prodno=3302.0%5C&issue=2015%5C&num=%5C&view=>>>.

²³Davis Lewis, ‘Elder abuse inquiry calls for power of attorney changes to stop children ripping parents off’, *Australian Broadcasting Corporation* (Online), 11 December 2016 <www.abc.net.au/news/2016-12-%2011/elder-abuse-inquiry-calls-for-law-changes/8106528>.

²⁴Ibid.

victims of financial fraud. The paper notes ‘the potential for pressure and coercion in setting up the instruments [the powers of attorney appointing children to act on their parent’s behalf]’ and that ‘early inheritance syndrome’ is on the rise.’²⁵

The ABC post comments:

- With Australians living longer than ever before, the ALRC inquiry heard many examples of children who were impatient to get their hands on their parents’ money and tried to claim their inheritance before they were entitled to it.
- This is often described as ‘early inheritance syndrome’.
- ‘It’s as if the current generation wants it now and somehow they justify that it’s okay to take mum or dad’s money right now,’ said Aged and Disability Advocacy Australia CEO, Geoff Rowe.²⁶

There are no concrete statistics on the prevalence of elder abuse in Australia, but a 2016 research report to the Australian Government Attorney-General’s Department states that:

At the international level, the WHO (2015) recently reported that estimated prevalence rates of elder abuse in high- or middle-income countries ranged from 2% to 14% ... and that the perpetrators are likely to be related to the victim... [and] one study suggests that neglect could be as high as 20% among women in the older age group (Australian Longitudinal Study on Women’s Health [ALSWH], 2014). Older women are significantly more likely to be victims than older men, and most abuse is intergenerational (i.e., involving abuse of parents by adult children), with sons being perpetrators to a greater extent than daughters.²⁷

So consider the combined effect in relation to elderly persons of ‘pressure and coer-

²⁵Ibid.

²⁶Ibid.

²⁷Ra Kaspiew, Rachel Carson and Helen Rhoades, ‘Elder abuse: Understanding issues, frameworks and responses’ (Research Report No 35, Australian Institute of Family Studies, Parliament of Australia, 2016) 8.

cion' coming from their children or another relative, 'early inheritance syndrome', abusers' self-justification of the abuse, 2% to 14% of elderly persons being victims of abuse, and women being more at risk than men, in the context of legalized euthanasia. It would truly be a lethal cocktail – it could be called 'early death syndrome'. At the very least, we should have second thoughts about whether legalization is a good idea and the media should be helping us to have those second thoughts not, as is true at present, hindering our doing so.

IV CONCLUSION

So, in considering the topic of religious liberty and the media, we must address the question, 'What is the media's role and what is ethically required of them in relation to fair and balanced reporting by including in their reports the arguments of religious voices in the public square and, in particular, in relation to decisions about important foundational societal values, such as the legalizing of euthanasia debate entails?'

Freedom of religion – religious liberty – requires freedom of speech and expression, which includes freedom of communication. The media are the major gatekeepers of the opportunities to communicate in the public square and they must fulfill that role ethically. This requires identifying situations which involve 'positive gatekeeping' (the gatekeeper's decision results in a positive benefit for the gatekeeper or his or her allies) and 'negative gatekeeping' (the gatekeeper's decision harms another to the benefit of the gatekeeper or his or her allies) which are both unethical conflict of interest situations that must be avoided. We should also keep in mind that information communicated through mainstream media (MSM) has a credibility that information communicated through other channels does not and

that means fairness in access to communicating through MSM is ethically required. And finally, if my reader is that rare bird, a journalist with socially conservative values, then *noli timere* – be not afraid – and *bon courage*.