

July 28, 2015

To the South Australian Nuclear Fuel Cycle Royal Commission,

As a theorist of nuclear harms, I read each of the issue papers—particularly Issue Paper #4—with great interest.

However, having approached the issue of permanent radioactive and nuclear waste storage in my own research from the perspective of applied ethical theory and environmental philosophy, it appears that I have a rather different set of concerns than those that have been tabled by the Royal Commission. Under the stipulations set by the Commissioner, I am therefore restricted to making general remarks about the the Royal Commission, since I am unable to direct my remarks at any one of the set questions tabled in each of the Issue Papers.

The absence of any reflection on the normative and moral dimensions of what is now being seriously considered by the Royal Commission is of grave concern. The same is so whether one is prepared to extend moral considerability beyond the human realm to non-human life and “the environment”, or not.

Befitting our shared Antipodean disposition let me be as clear: what you chosen men and women are deciding upon has the potential to impact the next 30,000 or more generations of Australians, as well as the local ecosystem and global biosphere on which all life depends. Put more simply still: the question of moral responsibility befalls on the Royal Commission regardless of where one is active in the nuclear fuel cycle.

As it stands the management of the nuclear wastes that arise from Australian uranium exports overseas are dealt with overseas. There is much to be said about the limits of Australia's moral responsibility in this area, particularly in so far as many of its major mining corporations are profiting from one or more phases of the nuclear fuel cycle.

And yet it is clear to me that the Royal Commission has organised itself along the nuclear fuel cycle. Whilst this is a useful conceptual move to discuss the practical dimensions (e.g. technical and economic issues, and so on) it may well be that further—additional and supplementary—consideration will need to be given to the moral aspects of the Royal Commission before its report may be considered complete or final.

Questions of values and morals should be fundamental to what it is you assessing. To do so is to import into your discussions a significant number of complex issues that have been addressed elsewhere, albeit with nothing like moral consensus between thinkers working in the same intellectual and cultural traditions. What moral obligations do this current generation owe future generations when we are operating on timescales of 100,000 years? Is a discount method applied to favour present generations over future ones as some consequentialists would argue for? And indeed, on what basis might such consequentialist arguments be privileged over rule-based moral decision-

making tools? How might indigenous perspectives towards the non-human world and place be accounted for and respected by such a Royal Commission? How might conflicts between indigenous landowners and the Australian state be reconciled?

To be sure, there are numerous such ethical questions relevant to the work of the Royal Commission, and relatedly a number of ethical principles that may be reached by the time you deliver your final report. Further work will need to be done to determine how to reconcile or adjudicate conflicts between those principles, and how to bring those principles into practice where further conflicts arise with the technical considerations that you remain so preoccupied with.

I note, and concede, that such normative and moral dimensions were absent from the Royal Commission's original Terms of Reference, although nor are they explicitly deemed irrelevant when mention is made of "risks and opportunities".

I would welcome the opportunity to speak to the Commission at any time before it delivers its final report.

Go well,

A handwritten signature in black ink, appearing to read 'N.A.J. Taylor', with a stylized flourish at the end.

N.A.J. Taylor
Linköping University, La Trobe University, and The University of Queensland
Co-convener, The Nuclear Ethics Hub