Co-creating the Ethical Space of Mindfulness-Based Interventions

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Introduction

This chapter is an attempt to circumvent the critical discussion of ethics in applications of mindfulness and instead to look directly at the actions of those who are learning to practice mindfulness together and describe what happens. Naturally, this shift of tactic (if not of subject) requires some explanation to focus the work that must be done philosophically, practically, and pedagogically, to arrive at useful understandings for further application.

Philosophically, this chapter begins with a non-foundational stance, delineated in the work of Ludwig Wittgenstein (Diamond, 2000; Wittgenstein, 1922), that we cannot identify some particular part of life or way of speaking that corresponds to ethics but rather that the ethical completely suffuses the world of our everyday life. Certainly, we can lecture about or discuss ethics, but such activity is not necessarily ethical itself, nor would it inevitably generate ethical action. The ethical is not what we talk about; it's what we do.

Practically, then, the chapter must look closely at the actions of a particular form of learning and applying mindfulness—what participants and teacher do together. The choice here is to view the "first-generation" mindfulness-based interventions (MBIs), represented by mindfulness-based stress reduction (MBSR) and mindfulness-based cognitive therapy (MBCT), which are built on the same curricular armature and have been used to generate the lion's share of the contemporary scientific evidence base for application of mindfulness (Crane et al., 2017).

These MBIs share the characteristic that they emphasize training in formal and informal mindfulness practices, including practices described as derived from

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Buddhism but brought into language that more or less fits the scientific and therapeutic worldview of public discourse in the West. It is worth noting that these MBIs have attempted to shield themselves from the current ethical critiques of mindfulness applications from within and without the MBI community (e.g., Monteiro, Musten, & Compson, 2015; Purser & Loy, 2013) by claiming that they have an implicit ethic that emerges from the practice itself to be embodied and made manifest to participants by the teacher (Grossman, 2015) and also that MBI teachers are bound to and protected by the clinical ethical code of their "home" profession (Baer, 2015). Neither of these attempts is satisfactory from the point of view of this chapter, as they are based on language about ethics and privilege of the teacher as an ethical agent at the expense of the entire group and its unique actions in the moment.

Pedagogically, the MBIs are still significantly under-theorized. The assumptions about what happens in the classroom are shaped by and considered to be congruent with the forms of research applied to them. Four decades of MBI research have focused almost exclusively on quantitative analysis of individual outcomes of participants, whether measured by self-report, physiological tests, or neuroscience imaging. This individualistic view has all but obscured the fact that the intervention is offered in a group and that the networks of relationships and resonances among participants and teachers build and thicken—even in the silence—across the weeks of the course. Such a complex situation, with its many actions, must have an impact not merely on relieving each person's pathology but also on the capacity of the group as a whole to hold, support, and be with each other, yet there is but a very thin literature attempting to describe this.

Individualism is so unquestioned, in both MBI research and pedagogy, that a rare attempt to measure what happens in the group, *because* of being in the group, was nevertheless reported with respect to individual outcomes (Imel, Baldwin, Bonus, & MacCoon, 2008). The study noted that the group effect accounted for 7% of the variability in outcomes—a huge number—comparing favorably to the 5% of variability attributable, in psychotherapy studies, to the therapeutic alliance. A powerful force was identified, yet this direction for research has not been pursued.

So, individualism is enshrined, and, without data or even reflection, the teacher is valorized as having the most powerful effect on the group. A qualitative study of the role of the teacher in MBCT suggests that current teachers give little consideration to the high value that participants place on the support of their fellows (van Aalderen, Breukers, Reuzel, & Speckens, 2014). It is not simply the extra encouragement that participants appreciate, but further, as peer relationships grow, participants come to depend less on the teacher. While the study authors noted that some teachers consider the group situation to have value in itself, they suggested that the actual value may be underestimated and that importance of the group may need more attention in formal teacher training programs.

My colleagues and I have suggested that the research and pedagogical concerns of the MBIs are located in different discourses that need not affect each other and have adopted a social constructionist view that emphasizes the relational dimension (Gergen, 2009; McCown, 2013; McCown, Reibel, & Micozzi, 2010; McCown & Wiley, 2008, 2009); although others have concurred on the relational context (Crane et al., 2015; Crane, Kuyken, Hastings, Rothwell, & Williams, 2010; Crane et al., 2017), they nevertheless maintain an individualistic conception of participants and valorize the teacher.

Now, we have a stance from which to consider ethics in the MBIs. We will eschew a focus on ethical language. We will adopt MBSR as a paradigmatic intervention. And we will work with a view of the pedagogy that considers the actions of the group and supports the pursuit of a non-foundational ethic.

From Co-creation to Confluence

We start from relationship; in fact, humans are born into relationship. Who we are with defines what we do. That is, we co-create the situation in which we find ourselves, and thus we often "find ourselves" to be different. Each instance of co-creation is unique and, therefore, unrepeatable. Considered in this way, the activities of teaching and learning mindfulness in a group (even in a dyad) are an ongoing co-creation that involves and affects teacher and participants equally.

Gergen (2009) offered a way of considering co-creation in the fullness of its implications. He describes the situation, say, of the MBI classroom, as a *confluence*. He defined it in contradistinction to the dominant interpretation, in which a group of individuals seen as having bounded identities and autonomous agency choose to be accountable to the others with whom they have gathered. In the confluence description, participants are defined by the situation in which they find themselves; they know who they are (better, know what they are doing) moment by moment as the activity of the group unfolds. That is, in meditation practice, the action defines meditators who come to sit quietly and a teacher who speaks instructions aloud. All change later into dyad partners who speak to each other and shift again to come together in plenary dialogue. The description of confluence does not include inner agency or outside control but rather a tacit understanding within the relationships of what is happening now.

It is difficult to find ways to express this sense of co-creation, because the English language is dominated by the idea that we are individual agents with relatively impermeable boundaries. Gergen (2009) found no way out of this linguistic bind but suggested, rather, that we reimagine terms like teacher and participant as referring to relational beings. We might wish for descriptive resources like those in the more collective culture of South Korea (McCown & Ahn, 2016). There, when two or more are gathered in participatory harmony, the situation can be described with the term *ahwoolim*, which denotes a softness of self-boundaries that allows pleasure in unity. Another term, *shinmyong*, indicates an ecstatic state in which participation in the fullness of the life of the group in the moment is mutual—literally, a divine brightening. Confluence is perhaps a strange word, yet none of these terms are simply speculative or philosophical; the experience may be described physiologically, as well, and such description may lend credence to the ethical understandings this chapter is moving toward.

Social Engagement Happens

Key to such a physiological description would be the mirror neurons in the brain that help to sense, represent, and track the actions and intentions of others (Gallese et al., 1996). Simply stated, humans have a capacity to attune and resonate with each other. We witness another's pain or joy, and our brain tries it on, reflecting the feelings in our body, simultaneously. Access to others in this way is instantaneous. Carr, Iacoboni, Dubeau, Mazziotta, and Lenzi (2003) described the brain circuit that carries the first sense of the other's expression and posture from the mirror neuron system, to the superior temporal cortex to process how it feels in the body, then through the insula to the limbic system to get the emotional content, and back through the insula to the prefrontal cortex to define how the other feels. Siegel (2007) dubbed this the resonance circuit and suggested that although it is described as interpersonal, it also works in an intrapersonal way for one who practices meditation. In meditation, the prefrontal cortex is active, so it downregulates the limbic system, particularly the amygdalae, thus reducing negative affect such as anxiety and fear (Creswell, Way, Eisenberger, & Lieberman, 2007; Lieberman, Eisenberger, Crockett, Tom, Pfeifer, & Way, 2007).

So, now, consider an MBI group in meditation. The participants and teacher (imagine confluence) potentially are resonating intrapersonally (and perhaps interpersonally), and pleasant feelings, even a certain equanimity, have shaped the faces and bodies of much of the group. They open their eyes and take in the full view of the environment. Now, to understand the objective basis of the power of confluence, we need to make one more move—to include Porges's (2011) polyvagal theory of regulation of the autonomic nervous system.

Based on the evolution of the autonomic nervous system, particularly the vagus nerves, the polyvagal theory describes three behavioral strategies available to humans for adapting to life-threatening situations, and challenging situations, and (does this surprise you?) situations of safety and caring. Respectively, the strategies are *freeze*, *fight/flight*, and a third somewhat surprising one, *social engagement*. This third response is triggered when the environment feels safe: the new vagus nerve slows the heart rate, inhibits the fight/flight response, and prepares us for positive social encounters through optimal communication. It regulates the muscles of the face and head for the actions required, opening the eyes wider to see others better, tunes the ears to the range of the human voice (a dangerous move in unsafe spaces, as predators make noises lower and higher), tones the muscles of the face and neck by which subtle expressions and gestures are possible, and tones as well the muscles of speech for clear articulation. Underlying these changes is—and this is important—a release of oxytocin, the "love" hormone of birthing, nursing, and pair bonding. With the onset of this response, an atmosphere of calm and safety may be established among those gathered together, which reinforces itself as participants' mirror neuron systems try on the faces, postures, and gestures which are also responses to what we will come to call friendship, later in this chapter.

As prelude, we might consider a description drawn from the language and practice of the Society of Friends, commonly known as Quakers. In their service, meeting for worship, the group is waiting silently, in stillness, for the moving of the Holy Spirit. The term waiting is used not with contemporary definition but in the older way as in a “lady- or gentleman-in-waiting” who is in the background still, and silent, yet prepared to respond instantly to any need or prompting from the royal person. In meeting for worship, promptings of the spirit may take over the participants, and the situation would be known as a *gathered* or *covered* meeting. Kelly (1947) described this:

> a blanket of divine covering comes over the room, a stillness that can be felt is over all, and the worshippers are gathered into a unity and synthesis of life which is amazing indeed. A quickening presence pervades us…and awakens us in depths that had before been slumbering. The burning bush has been kindled in our midst, and we stand together on holy ground (p. 3).

Something happens when humans come together in the quiet of mindfulness practice. The confluence that is a classroom of participants and teacher learning to practice mindfulness together often takes on a particular character, related to the situation we have been describing, which may be seen to have ethical implications. What is required in order to make this clear is an analysis of the shared activity of the pedagogy of the MBIs, which follows.

Ethical Qualities in the Pedagogy

If the MBI classes co-create mindfulness, then the activity achieves that is not only the formal meditation but also all the actions of the group. Therefore, it is this overall practice of the pedagogy in the confluence that requires analysis to move toward an understanding of how “ethics” suffuses it. Such an analysis, naturally, requires a focus on the concept of confluence, rather than on the dominant model of education theory. The pedagogy of mindfulness does not belong exclusively to MBI teachers, rather it is a continually evolving process, shared with all participants.

Moments of mindfulness—produced by formal or informal practice—may be shared by participants, as some choose to enter dialogue (predominantly mediated by the teacher) by giving an account of their experience and clarifying it through reflection. This, of course, happens out loud with a few participants. For other participants, it happens in silence, in their “unfinished dialogue” of thinking, as Gergen (2009) termed it in relational language, which may move the group toward a new and more nuanced understanding of and capacity for mindfulness.

Mindfulness is also co-created when participants are doing their “homework” of formal practice in solitude. In the relational view, the voices of teacher and other participants are still present and contributing to the situation. This is literally true, because participants practice at home by listening to recordings made by the teacher, and is also *literarily* true, as the “texts” of dialogues spoken aloud in the class sessions are always available to influence the unfinished dialogues worked through when participants are alone.

Together or alone, participants and teacher undertake the actions of the pedagogy—constantly learning the practice of mindfulness. Experiences of moments of mindfulness are unique. They arise from the contexts and texts available in the moment. As a result, there is no static, once and done experience or definition of mindfulness. Rather, there is an infinite number of definitions, shaped in the lived moment, not merely by emergent texts but also by the expressivity of the vocal quality, expressions, gestures, and bodily comportment of all in the confluence of the moment. There will be many such moments and definitions across the arc of the course. They may have their genesis in words, such as Kabat-Zinn's (1994) well established "paying attention in a particular way: on purpose, in the present moment, and non-judgmentally" (p. 4), or from dialogue about an experience, such as the iconic activity of eating a raisin in a mindful way. Through the incidence and coincidence of spoken and unfinished dialogues in class after class, such thin definitions thicken, deepen, and become more nuanced and elaborated, serving participants better and better.

What mindfulness is in a particular class is, therefore, particular. It is recognizable, certainly, because it is shaped by common language used by the teacher. Yet it is nuanced by the very specific experiences of the participants unfolding moment by moment—in spoken or unfinished dialogue. Again, there is not a defined mindfulness that gets learned and practiced, but, rather, mindfulness is co-created in a unique way. That means, to investigate the idea of ethics in MBIs, we must analyze the pedagogy itself.

An Ethical Analysis

This analysis keeps equal focus on the relational and the ethical, to identify the qualities of the human environment created by the actions of the class. The qualities to be found are not methods or means, neither are they principles or rules for ethical behavior of teachers or participants—remember that we are eschewing a language-driven concept in favor of one that is simply descriptive. In a truly successful description, the qualities that are present would be identical to the environment. Put in the reverse, withdrawal of any of the qualities would dramatically change the environment—from a sense of being gathered to a sense of fragmentation and individual boundaries. Such a description of the qualities would show each to be discrete *and* interrelated, not overlapping, yet mutually supporting. Such a description would act as a map or model useful for making the ethical inquiries about the environment —the co-created ethical space—itself (McCown, 2013).

There is significant similarity among the MBIs derived from the MBSR model—regardless of the target population (Crane et al. 2017). The book, *Teaching Mindfulness*, analyzes this meta-structure, acknowledging the logic of MBI pedagogy and revealing the *teaching intentions* across the curriculum (McCown et al., 2010). The term teaching intentions is applied in opposition to learning objectives; intentions are held lightly by the teacher allowing the curriculum to unfold contingently within the co-created space of the class, rather than the imposition of curriculum suggested in the term learning objectives. It has shown itself to be useful in alive moments of teaching, as well as in reflective work of critique and innovation in curriculum design and development.

The teaching intentions, in a useful order, are (1) experiencing new possibilities, (2) growing compassion, (3) discovering corporeality, (4) cultivating observation, and (5) moving toward acceptance. Although they are distinct and numbered here, it is more useful to consider them as simultaneous and fluid in their order, allowing for the never-repeated experience of co-creation across the course duration. For example, cultivating observation, identified with the capacity for "re-perceiving" (Shapiro, et al., 2006) or "decentering" (Segal, Williams, & Teasdale, 2002), which can be seen as the key movement of the pedagogy, facilitates moving toward acceptance and is bracketed and supported by the immediate and ongoing intentions of experiencing new possibilities, discovering corporeality and growing compassion.

Experiencing New Possibilities Consider the raisin. Early in the curriculum, participants are asked to step out of their habitual ways of engaging the world and to touch, smell, see, and even listen to a piece of dried fruit—making it strange and new. In this same class, the participants, with their often long lists of medical and mental health diagnoses (or self-diagnoses), are confronted by Kabat-Zinn's (1990) oft quoted statement (or some rhetorical equivalent): "as long as you are breathing, there is more right with you than there is wrong, no matter how ill or hopeless you may feel" (p. 2). Those tightly identified with their diagnoses are cast into an environment where no one is interested in that identity and no one has them under surveillance—and they can relax from self-surveillance. How frightening, how freeing, it is to have a new life in that moment and every moment of the course from then on. One distinguishing relational quality here is actually an absence—there is no sense of pathologizing.

Growing Compassion This intention has a different character as the course begins compared to its ending. At the start it has a centripetal movement, as many participants seek relief from their suffering by drawing compassion from the teacher and others toward themselves, while others may find compassion difficult to accept for themselves yet may offer it to others (and try to "fix" them), so the centrifugal movement is there in nascent form as well. Later in the curriculum, the formal practice of loving-kindness is introduced, most often in the full-day session after participants have experienced extended silence and practice so that intra- and interpersonal resonance help encourage the possibilities of the practice. Participants experience a formal link to the relational dimension—revealing how their growing self-connection from the class may impact those whom they love and those with whom they spend their time, including each other and, ultimately, the world. This is also a moment in which many connect their practice to their spiritual and religious commitments. They experience centripetal and centrifugal movements of the quality of compassion simultaneously and with different understanding across the duration of the course.

Discovering Corporeality Western culture privileges the cognitive. Embodied experience, in Hamlet's phrase, is "sicklied o'er with the pale cast of thought." In the MBI curricula, participants are directed to the sensations, emotions, and thinking arising in each moment. Typically, the first formal practice in the curriculum practice is the body scan, which helps participants through experience and later dialogue to separate their opinions, stories, anticipations, and memories about their bodily experience from their immediate experience—which may be very different. In each class session, participants have the opportunity to move from the already known to the edge of the unknown, by using attention to the body. Thoughts may be explored as to how the body responds to them. An emotion may be considered beyond the story that is its genesis, revealing the body sensations of, say, anger, as a form of energy—that may even be pleasant. When the teacher asks a participant if she is willing to undertake such an exploration in spoken dialogue, the other participants (and the teacher) take part, in their own ways. All have the opportunity to track the moment-to-moment changes in body sensations that become more and more evident through practice. There is a quality of appreciating contingency that comes through in the pedagogy.

Cultivating Observation This is the key move of the pedagogy. For many participants, it takes some time, a class or two, before a capacity to observe experience—body sensation, thinking, emotion—shows itself. In early formal practices such as the body scan and sitting meditation, instruction suggests that participants notice when the mind wanders from the object of attention—a part of the body or the breath—and then choose to return. They discover that the moment of noticing that attention has drifted is a moment of awareness, and it may dawn at last that such a moment is vast—nothing less than their whole world. From such a perspective, a quality surrounding the practice emerges: the practice is not about changing or fixing something, or getting somewhere, or learning some lesson (as might be expected in a course). Any of these outcomes would be side effects of undertaking the practice; the practice is not instrumental—it's about the exploration itself.

Moving Toward Acceptance It is easy to interpret this as an achievement of each individual participant, and this is reinforced by the direction from which MBIs have been researched. A contrary interpretation comes from the relational direction, in which the co-created mindfulness of the group facilitates a level of non-reactivity that can sustain participants as they meet aversive sensations, thoughts, and emotions in their explorations—spoken or unfinished dialogues. The element of non-judgment in the co-created definition of mindfulness can blossom into "an affectionate, compassionate quality…a sense of openhearted, friendly presence and interest" (Kabat-Zinn, 2003, p. 145). The quality might be dubbed friendliness or even friendship, as there is a regard of the group within the group.

The Skills of the Teacher The actions and attitudes of the teacher within the co-creation of the MBI group may also be analyzed for contributions to the qualities of the space. Four skill sets of the teacher (McCown et al., 2010)—stewardship, homiletics, guidance, and inquiry—can assist in this analysis.

Stewardship Participants in an MBI course are coming together to explore their experiences, often prompted by particular suffering. They must be cared for in some basic ways. The stewardship skills are the way this can happen: a steward, literally, is the guardian of the hall. So the teacher's actions to set up and maintain the architectural space, from adjusting temperature and lighting, to setting up chairs in a circle are important and symbolic. The circle of chairs, as with King Arthur's round table, cuts through hierarchy—no one has the preferred seat. Further, participants are turned toward each other, so the attitude, which is reinforced by the teacher, is that there are many with valuable experience of life, many who can contribute, and that there are no right answers.

Stewardship comprises the acts of tending the ethical space, by attending to the co-creation of mindfulness. The space is not invulnerable. Dramatic distractions in the physical or interpersonal environment may threaten or collapse it. Formal or informal mindfulness practice is the steward's tool in such moments. With a loud, unpleasant sound outside the room—say, a line of blaring fire engines passing the building—a move could be to touch into a short, formal mindfulness practice and be with the sounds. The co-creation of mindfulness binds the group together and sustains it through the event, so it need not be seen as the effort of the teacher. When it is over, a dialogue may help to turn the experience into what was noticed about distractions, the mind's tendency toward stories and worry, and the evanescence of powerful events. The teacher is not central; the group's capacity to regulate itself belongs to all. The quality that comes through is the subversion of hierarchy.

Homiletics The word's Greek root suggests talking *together*, so this skill is about engaging with and responding to participants. The teacher draws as much didactic material from the group as she can, to avoid the position of expert and aid in the thickness of the co-creation. Even the use of "texts" adds to the non-hierarchical nature of the co-creation of an ethical space. As participants engage in dialogue about their experiences with mindfulness, the memorable incidents become "texts." So didactic material is democratic in nature, with participants as respected authors. In a similar move, the notable use of poems and stories in MBI pedagogy (Baer & Krietemeyer, 2006; Segal et al., 2002) subverts the teacher's position as expert, because the "wisdom" is available in a poem—or even a children's book. The skill contributes to the qualities of lack of hierarchy and the presence of friendliness.

Guidance Although it is most evident in the language used to lead formal practices, there is a way of speaking that permeates the pedagogy. The particular style developed by Kabat-Zinn (2004) was meant to help make mindfulness possible by avoiding ways of communicating that might “generate resistance” in participants or “create more waves in the thought structure.” Skillful language undercuts any sense of striving—the “if you did this long enough, you’d be better” idea, emphasizing rather the non-instrumental quality of the practice. It rejects idealizing—that “I know how to do this and I’m going to teach you” stance—instead, steering around hierarchy. It eschews fixing—the suggestion that mindfulness can “reverse your deficits” approach—again emphasizing the non-instrumental quality. And it ducks the setting up of dualism—where “an observed and an observer” might be posited, drawing participants deeper into the quality of friendliness.

The language, then, is invitational and suggestive, in the realm of diplomatic dialogue (Moss, Reibel, & McCown, 2016), saying “maybe you could try this,” or “what would it be like if you,” rather than just “do this.” Famously, in Kabat-Zinn’s (2004) approach, the imperative is replaced by the present participle: not “breathe in” but “breathing in.”

The skill is transcendent and offers participants the opportunity to have their own experience, with as little mediation by the teacher as possible. The teacher meanwhile guides and speaks from her direct experience of the relationships of the confluence, maintaining the co-creation of the ethical space, without fanfare, in ways that are non-pathologizing, non-hierarchical, and non-instrumental.

Inquiry This is not general conversation with the group; it is a moment in which the teacher and a participant explore together the participant’s subjective experience. Inquiry brings the tacit understandings of the moment into language, where they can be investigated more closely.

The teacher’s stance is based on friendship, curiosity, and “not knowing.” The teacher is open to whatever comes out of the inquiry dialogue—there is no direction, no agenda—simply an encounter of the most human kind. This is evident in the open-ended nature of the questions that generate an inquiry. It might begin simply as, “How was it for you?” And a reflective response might be followed by “Can you say more about that?” It is the depth of reflection and engagement of participant, teacher, *and* the others in the group who witness the dialogue (while undertaking their own unfinished dialogues) that move everyone toward new understandings. Inquiry, after all, is shared work. The skill is in holding the outcomes with openness—a kind of cosmopolitanism. That is, all the participants are free to ascribe their own meaning to their experiences, within or outside any particular tradition of thought or spirituality.

Qualities Revealed in the Pedagogy

Throughout the analysis above, seven qualities were identified, associated with particular curricular intentions and specific skills of the teacher. In order of appearance, the qualities are of (1) not labeling pathologies, which might shorten to *non-pathologizing*; (2) a turn toward the experience of the moment in the body, which might be shorter as *corporeality*; (3) tracking the continual changes of conditions in the moment, which might be put as awareness of *contingency*; (4) an all-over sense of friendliness toward self and others, which might be dubbed *friendship*; (5) a stance by the teacher of genuine curiosity and not knowing about participants' experiences, which might be termed *non-hierarchical*; (6) an attitude that frames the practice as exploration with an unknown outcome, not a fix or cure, which might be called *non-instrumental*; and (7) openness to the meanings participants place on their experiences or *cosmopolitanism*. These qualities are distinct from one another, although they seem at first glance to relate in obvious and subtle ways. What remains, then, is to understand the ways that they relate, which may reveal a structure or model for their effect in creating the ethical space that characterizes the MBIs.

A Model of the Ethical Space

Now, it is time to draw a model of the ethical space (McCown, 2013). It is not an attempt to freeze the qualities found in the pedagogy, to use and apply them to solve some ethical dilemma; rather, it is a description of the actions of the participants and teacher (the confluence). As such, it may be different in each group—even in each class session. Yet, the situations may be congruent enough to be described by a generous model with flexible boundaries.

To keep boundaries soft, the model (Fig. 8.1) is presented in three *dimensions*, a word suggesting something distinct yet potentially boundless. The seven qualities discovered in the pedagogy divide logically into three dimensions: of *doing*, of *non-doing*, and of *friendship*.

The doing dimension comprises the qualities that start (mnemonically!) with "C," corporeality, contingency, and cosmopolitanism. They are located within the flow of the confluence, in the actions and experiences of the moment.

The non-doing dimension (again mnemonically) comprises the "non-" prefixed qualities, non-pathologizing, non-hierarchical, and non-instrumental. They are most easily seen as shaped by teacher actions and seem to be mutually supporting. That is, the entire non-doing dimension may collapse with the compromise of any one quality: pathologizing can only take place when the teacher has assumed a higher status as one who "knows" (rather than staying with "not knowing"), and with a higher status comes the privilege to prescribe, allowing the actions of the curriculum become instrumental. Such a collapse could begin with any one of the three qualities of that dimension.

The third dimension might be described as not only boundless, but also penetrating: friendship suffuses all six other qualities, binding them together—staining and sustaining them. Friendship is the full character of the pedagogy.

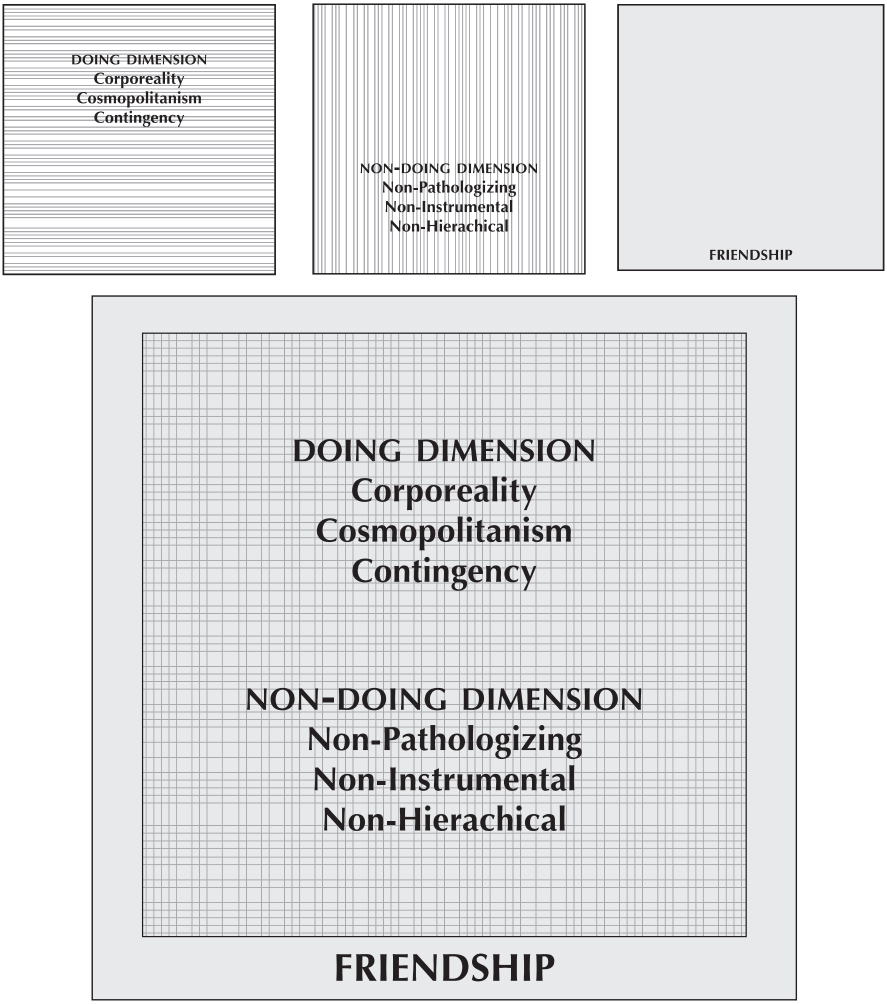
DOING DIMENSION
Corporeality
Cosmopolitanism
Contingency
NON-DOING DIMENSION
Non-Pathologizing
Non-Instrumental
Non-Hierachical
FRIENDSHIP
DOING DIMENSION
Corporeality
Cosmopolitanism
Contingency
NON-DOING DIMENSION
Non-Pathologizing
Non-Instrumental
Non-Hierachical
FRIENDSHIP

Fig. 8.1 Together, the doing and non-doing dimensions come together to form the ethical space in which the gathered mindfulness group acts. The space is pervaded by the third dimension, the quality of friendship that characterizes the conception of mindfulness within the MBIs

Relationships between the Dimensions

Although graphic conventions limit the expression of the model of the ethical space to the plain of the page, it is profitable to think beyond it. All of the dimensions are engaged at once and therefore have no set order; any sequencing that is suggested in this presentation is purely for descriptive convenience. The subtle ways in which qualities interact with their own dimension and between the other dimensions are critical to the description. What follows is meant to capture the specificity of the cross-hatching or meshwork suggested in Fig. 8.1.

The Doing Dimension Whether from the perspective of teacher or participant, this dimension comes into focus through concrete actions in the classroom. Each of the three "C" qualities is evident, say in the guidance of practice offered by the teacher, and is further reinforced in the dialogues that follow. In MBSR, this starts immediately in class one and is clearly demonstrated in the first formal mindfulness practice, the body scan, which is an epitome of the course. Working from a perspective colored by cognitive therapy, the developers of mindfulness-based cognitive therapy found their horizons expanded:

> We could see more clearly why MBSR used body-focused awareness exercises, including a body scan exercise that involved focusing awareness on each part of the body in turn, as well as stretches, mindful walking, and yoga. These were not simply added extras, but a central way in which a person might learn to relate differently to his or her experience. The MBSR approach allows participants to see how negative thoughts and feelings are often expressed through the body. These sensations, too, could be held in awareness and observed, not pushed away. Awareness of the effect of negative thoughts and feelings in the body gave participants another place to stand, another perspective from which to view the situation. This awareness discouraged avoidance of difficult or painful thoughts, feelings, or body sensations. Instead, it suggested a measured and reliable way of "turning toward" and "looking into" these experiences. (Segal et al., 2002, pp. 60–61)

In the guidance of the body scan, which is generated from within the teacher's own experience of the practice in the moment of speaking (Kabat-Zinn, 2004), the quality of *corporeality* is actively expressed. A sense of this can shine through in just a scrap of guidance from a body scan script, such as this:

> Moving now to the shoulders, checking into their condition in this moment, any tightness or softness, recognizing that this is the condition *now* … accepting it, knowing that it does not need to be some other way… and knowing also that conditions change… noticing if there is a sense of the breath in the shoulders… how much of the body does breathing affect? (McCown et al., 2010, p. 189)

The simultaneity of the quality of *contingency* is evident here, as the guidance offers participants their experience of the shoulders in the moment and suggests its transience in the next breath. The language used in MBSR classes presumes that change is underway. The present participle (e.g., "Moving now to…") drops the participants directly into the flow of experience. The basic questions of "What are you noticing" and "How is it for you?" emphasize the flow and turn of the participants toward it. The key move of the pedagogy, to be with and in the experience of the moment in a friendly way, is catalyzed in such simple inquiries. As such questions and language usages are used in dialogues with the teacher, in dyads and small groups, and, of course, in participants' unfinished dialogues, the temporary nature of the moment, and of any description of it, becomes increasingly evident.

In the opening moments and experiences of an MBSR course, the appearance of the quality of *cosmopolitanism* may seem to lag behind corporeality and contingency. Participants begin a course uncertain about how—even whether—they may give meaning to their experiences, stemming from expectations of typical classroom practice in which the teacher is expert and provides "correct" interpretations. Such expectations are dashed within moments, as the teacher turns back answer-seeking questions with the riposte, "What do you think?," and takes up an open, not-knowing stance, which demonstrates cosmopolitanism by allowing meaning to emerge from dialogue, which informs all levels of communication in the classroom.

As the focus on corporeality and contingency has their effect on participants' experience, cosmopolitanism provides a certain kind of clarity around questions that might be perceived as religious or spiritual. In MBSR, perceptions about the nature of the self, for example, are not pushed for and are held very tentatively: "My colleagues and I don't ever lecture about this or say this to people. *They* say it to us. They say things like, 'Who am I if I am now observing these things?'" noted Saki Santorelli (Horrigan, 2007, p. 140). Openings for meaning are often on offer through classroom actions, such as reading aloud a poetic text. Mary Oliver's poem "The Summer Day," a staple of the MBIs, closes with the question, "Tell me, what is it you plan to do / With your one wild and precious life?" This is an opening; participants may answer in the comfort of their own cosmopolitanism. It holds lightly all that is heavy in the classroom, spoken or unfinished: the fragile boundaries of the self, extremes of emotion, evocation of suffering and death, and the evanescence of happiness.

The Non-doing Dimension The "Non" qualities are defined in absence, in what is lacking in the actions of teacher and participants in the classroom. In the opening instants of the first class, they can be identified with the teacher and the curriculum, yet, as with the "C" qualities, with due speed they become qualities inextricable from the confluence. A recounting of their interrelationship might start right at the end of the body scan described in the discussion of the doing dimension.

As the teacher asks participants a basic question, "How is it for you now?", one woman speaks right up.

"I can't do this right," she says. The teacher looks at her quizzically. She continues, "My mind shoots around all over the place." "I can't focus at all."

The teacher responds, "I know, that's like my mind too. That's what minds do—yours, mine, and everybody's." She turns her head to include the whole class and raises her hand. Hands go up all around the circle. Participants look around at each other, and the teacher resumes her inquiry, "So, what did you do when your mind went off somewhere?"

"I just came back to your voice and what we were supposed to be paying attention to," she says.

"So, you knew what to do, and then you did it, right?"

"I guess so."

The teacher asks, "And how many times did you notice that your mind went away?"

"Oh, my god, hundreds, I'll bet."

"Hundreds of times of coming back to your present moment experience. You see, that's hundreds of times of practicing exactly right."

In this scene, all three "non" qualities are manifested simultaneously—non-hierarchical, non-pathologizing, and non-instrumental. A description of their interaction could begin anywhere.

Let's begin with *non-hierarchical*. The fact that the class is arranged in a circle is an encapsulation of what is missing—there is no preferred seat for the teacher. Everyone is a participant, and all are facing one another. An early pedagogical move asks that participants speak to the group, not just the teacher. This is reinforced with nonverbal cues, as the teacher looks around the circle to show the wider connection. Another move asks participants to speak together in dyads or small groups, with no need to report into the teacher at the end. Whatever is said belongs only to the participants, which subverts the tendency toward teacher preferment.

The classroom language, too, has a significant absence of what Kabat-Zinn (2004) referred to as "idealizing," the structures in which the teacher is the knower and the participants are learners. Instead, the talk is about sharing an adventure, as in, "Let's have an experience together and see what comes of it," whether eating a raisin, practicing a body scan, or joining in dialogue. No one in the room knows what will happen, but all are engaging the key move of the pedagogy by turning toward and being with in their experience in the moment. This leads to what might be discouraged in therapeutic contexts, "self-disclosure" by the teacher. In the MBSR group, however, the teacher is implicated in the situation. Every moment is a moment of self-disclosure, for everyone. There is no hierarchy of value for experience.

It is worth noting here that the academic training programs for MBSR and MBCT teachers in the UK, associated with the discipline of psychology, chose to use the term "teacher" rather than "therapist" for those undergoing training (Crane et al., 2010). The two identities are mutually exclusive. The tensions inherent in teachers' professional identities will be explored in a separate section below. The point here is that the non-hierarchical quality (and because of their simultaneity the other two "nons" as well) is endangered by shifting roles.

Within the vignette above, *non-pathologizing* is also salient. The characteristics of MBSR participants are a place to start with this. They are all there for different reasons. As Saki Santorelli has explained:

> Medicine for the past 120 years has really developed tremendous acumen for the differential diagnosis. We give a single diagnosis and then we develop a single treatment modality to meet that diagnostic condition. In the Stress Reduction Clinic, we have done it the other way around. We've said that instead of making the groups homogenous, we will make them heterogeneous. Why? If people participate for the same reason—say heart disease—well, that's what they have in common and where conversation will naturally gravitate. Sometimes this can be very useful, sometimes not. Conversely, if you have people in the room for 25 different reasons, their common ground becomes the work of developing their inner resources in service of whatever ails them. (Horrigan, 2007, p. 142)

Heterogeneity redefines the participants, not only as the teacher does not focus on their diagnoses but also as they shift their focus as well—getting out from under the self-surveillance of their condition. While mindfulness has been negatively characterized as self-surveillance (Gold, 2011), in the MBIs, the key move of the pedagogy of turning toward and being with and in experience as it arises reveals the reverse. Through contingency (and corporeality), participants recognize that no condition, no symptom, is static. Thus, the ethical space of the confluence becomes a site of resistance in which participants can identify with change and become aware of new ways of experiencing their lives and new ways of being.

The pedagogy of mindfulness, as Kabat-Zinn (2010, p.xi) suggested, is not "just one more method or technique, akin to other familiar techniques and strategies we may find instrumental and effective in one field or another." It may be better described as *non-instrumental*, as the pedagogy insists that we can turn toward; however, we are in the moment and be with and in that. This is not some idealized "acceptance" of the way things are; it is more radical than that. There is profound curiosity, at the level of fearlessness, in the turning toward. The participant is faced with the choice about changing what can be changed. The teacher does not make the choice, nor influence how the change should come about. Only the participant decides and makes meaning. So, cosmopolitanism is at play as well.

The non-instrumental quality is best represented by the way that the skill of inquiry works—either when led by the teacher (Santorelli, 2016) or when undertaken by participants as spoken or unfinished dialogue. The essential ground rule, repeated as often as necessary in the course, is "no fixing"—on which the non-hierarchical, non-pathologizing, and non-instrumental qualities depend. In challenging situations of physical and/or emotional suffering, it may be difficult to simply be with and in what is arising in the moment. If the inquiry can stay within that key move of the pedagogy, however, it can:

> work to subvert a strong internal and external tendency to look for certain (sometimes quite fixed) kinds of improvement or resolution of difficulties. This is a tendency that can play out in therapeutic and mental health contexts in familiar and unhealthy ways for both practitioners and clients at times. In comparison, the possibility to experience a sense of 'OKness' in the midst of 'not-OKness,' is a broader influence offered by the meditative traditions, which can inform not merely process but also potentially a different approach to content. (Crane & Elias, 2006, p. 32)

This possibility of "OKness in not-OKness" is the basis of the co-creation of mindfulness, which comprises the confluence. It is not simply the work of the inquiry dialogue partners, it is the work of all. All the "C" and "Non" qualities must be present for it to be possible, and the thing that sustains them is the last dimension—and its single quality.

The Friendship Dimension It may be helpful to recap the discussion above of the work of Porges (2011), described as the social engagement response. This response, which reverses fight or flight and prepares the body and mind for intimate levels of communication, is characterized by stillness and quiet in demeanor, the capacity to listen deeply and understand, and the ability to clearly articulate information to others. Remembering that a release of the "love hormone" oxytocin is part of the response suggests possible intensity of the atmosphere within an MBI group. The formal mindfulness practice may initiate this response, which becomes the background for the co-creation of the ethical space. This is one way of thinking about friendship.

Yet friendship is certainly more complex and layered, involving as it does at least two and often as many as 30 participants, in various situations of suffering and exploration. The pedagogical actions undertaken in the class, relying on every one of the "C" and "Non" qualities, have a powerful impact on the entire group. Imagine a teacher-participant inquiry in which physical pain and its effects on the emotions are being explored. The dialogue is oriented around body sensations. The entire group is paying attention, tracking what is happening with the participant who is speaking, or engaging in his or her own explorations as unfinished dialogue. The co-created mindfulness of the room is supporting them all. And the situation is recursive. As the spoken dialogue touches experience, the language becomes thick and expressive and draws vivid responses from the participants. All of this deepens the quiet, the emotion, and the friendliness in the space.

The support that participants feel in and from the group that allows them to turn toward and be within their experience of the moment is not simply theoretical nor is it merely physical. Rather, it is relational. Present with the group, or alone with the "group within," more is possible than before. The friendship of the ethical space is an atmosphere that is alive for those within it. Emerson (1841/1983) characterized it beautifully in the opening paragraph of his essay "Friendship":

> We have a great deal more kindness than is ever spoken. Maugre all the selfishness that chills like east winds the world, the whole human family is bathed with an element of love like a fine ether. How many persons we meet in houses, whom we scarcely speak to, whom yet we honor, and who honor us! How many we see on the street, or sit with in church, whom, though silently, we warmly rejoice to be with! Read the language of these wandering eyebeams. The heart knoweth (p. 331).

To put it, perhaps, more succinctly, the ethical space generates and maintains itself. While co-creating mindfulness through the pedagogy, the group (and its participants) possess a particular know-how. They can be in the moment together, whatever the quality of the moment.

Ethical Beyond the Space?

As participants return again and again to co-create mindfulness in the ethical space of the MBI confluence, they are steeping in a particular atmosphere with particular possibilities. How can we think about how this changes them? How can we explain "outcomes" in a relational discourse?

Gergen (2009) has a concept that clarifies. He noted that we partake of many different confluences as we go through life. As we steep in them, we develop a repertoire of potential ways of being—potentials Gergen called them—and we can therefore be described as a *multi-being*. As we continue to move from situation to situation, to enter new and different relationships, the potentials of our multi-being are available as needed and appropriate. As Gergen put it: "In sum, all meaning/full relationships leave us with another's way of being, a self that we become through the relationship, and a choreography of co-action. From these three sources, we emerge with enormous possibilities for being" (p. 137).

The atmosphere in which the group is steeping is not a figure of speech. Rather, it is an objective and subjective experience recognized within an undivided relationship between self and others (Böhme, 1993; Bollnow, 2011; Ingold, 2013), which is a useful redescription of confluence. That the atmosphere is shared so broadly is made clear through a question to the group such as, "What is it like in the room right now?" Dialogue may ensue, and participants often come to close agreement on a description.

Consider the atmosphere that develops through an inquiry between teacher and participant following the body scan practice that we've been returning to throughout this chapter. Louise, a chronic pain patient, responds to the question, "Is there anything left to say about this experience?"

Timidly, she ventures, "I had trouble with this," and sits quietly.

The teacher prompts, "Can you say more?"

"I was in a lot of pain—a lot—the whole time."

"So, what did you do? Did you find any ways to help yourself?"

Louise pauses, thinking, and says, "I tried moving, but I couldn't get any relief. I ended up just listening to you and trying to follow the scan. I kept being pulled away by the pain in my back."

The teacher asks, "And what happened?"

"Nothing really. Nothing changed for me, but I got through it. Trying to stay with what you were saying kind of distracted me, so I guess that was a help."

"I'm curious about how it is for you right now, Louise," says the teacher. "What do you notice when you check in?"

"It's the same. Still hurting. It's so frustrating…and sad."

"Would you be willing to, maybe, just take another look? Just bring your attention to how it is now, and see what happens?"

"Well, I guess I could try."

"We can all do this with you," says the teacher, looking around the circle and taking in the other participants, who are quiet and still, watching or looking down or away and then saying, generally, "Maybe closing your eyes, if that suits you, and bringing your attention into your body in this moment." Fifteen seconds go by, a long time. "Louise, what are you finding?"

"Well, it hurts, the same as before."

"OK, let's try something. Can you bring your attention to one place that is hurting? It doesn't need to be the most painful place." A little pause. "And can you find a friendly way to stay with that? Maybe you could notice your breathing, and see if that helps you to hold the sensations a little more softly. So, you're just softening around the place you've chosen to be with."

Thirty seconds go by, a very long time. The teacher asks, "Louise, what are you noticing now?"

"It still hurts," she says, "but it's different…not so sharp as before."

"Can you stay with it? Keep breathing and softening?"

Another long time. A silent room. "Let's just check in again. What do you notice now?"

"It was duller for a while, but now that you've asked, it's back to the sharpness again. But there were better moments, I guess."

The teacher pauses. "So there was the same old, same old, and for moments there was something better, or at least different. That's worth knowing, maybe, Louise?"

"I think so, yeah."

The teacher looks around the circle, sitting together in the quiet. Not quite ready to move on.

The group is steeping in an atmosphere of friendship, the ethical space, produced in the co-creation of mindfulness. All (or nearly all) are moved in their own way by the dialogue or by their own possibly parallel unfinished dialogues. They are steeping and being imbued with the potential to create such a space, to create community, with others, elsewhere.

Such a possibility lies in the power of the atmosphere. This has been described as the sublime (McCown, 2016), a concept drawn from aesthetic theory (e.g., Burke, 1759/2008). The sublime is associated with confronting moments of "terror," such as, for Burke, storms at sea or ascents of mountains. Such confrontations take spectators beyond the rational, beyond the limited ego, and into a space where it is possible to connect with others. Adapted for mindfulness-based theory, the sublime identifies those strong moments of turning toward and being with and in experiences of unpleasant affect—the looming extremes such as death or madness. The dialogue with Louise above carries some of this existential anxiety, and the atmosphere created might be related to the sublime.

In relating the atmosphere of steeping to the question of the ethical, a different aesthetic description may be invoked—tragic drama. We can consider the encounter with tragic events within a structured ritual frame, as in the classical liturgy of the *Dionysia* of Athens. In it, tragic narratives are enacted in front of the assembled citizens of the *polis* with the goal of reaffirmation of the solidarity of the city—the capacity to be together for the good of all (Williams, 2016).

There is a sense that the key move of MBI pedagogy—sitting still with what is arising in the moment—reflects or reenacts the transformative experience of the audience of a tragic drama who are sitting still while being moved. Cavell (1987) noted that this contemplative immobilization in assigned seats keeps audience members from calling or acting out during the drama, which causes each member to recognize their own separateness and the otherness of the one undergoing the tragedy. This unusual position confronts the audience members with a clear view of the other's full humanity and thereby their own. Paradoxically, this recognition of mutual separateness—one cannot have the other's experience—does indeed create solidarity, as well as a space in which ethical community may arise and participants may steep.

In traditions of dramatic performance, a composed text is enacted. In the MBIs, through inquiry with the teacher, participants struggle aloud with the suffering that comes to them in the moment and is perhaps assuaged in the key move of the pedagogy, and that experience becomes a unique text for the group (McCown & Billington, under review). Such texts continue to influence the atmosphere of the classroom as they are alluded to aloud or recalled in unfinished dialogue. They add intensity to the process of steeping.

The intensity of the atmosphere is useful for the teacher in the MBIs, because when the tragic has been confronted in the classroom, it may be assumed that the ethical space is working and that participants are being imbued with potentials of being together in an ethical community. Conversely, when the tragic is avoided, or never invoked, the ethical space may be weaker, with less well developed potentials.

Intensity also answers some of the current questions asked under the guise of ethics about effective applications of mindfulness in non-clinical settings. When the default is toward being with and in a pleasurable experience, such as the reduced stress and increased happiness promised by so many programs—opportunities to touch the tragic dimension are restricted, which keeps intensity low and undermines the benefits of the ethical space. With well-educated and highly practiced teachers, the clinical applications of mindfulness continually invite the confrontation with tragedy and ensure the fullness of the community of the ethical space and the potentials developed by steeping within it.

When the Ethical Space Collapses

Teachers cannot bring the ethical space into being or maintain it through acts of will or by applying techniques. It is, simply, the group's successful co-creation of mindfulness, its engagement with the key move of the pedagogy, of turning toward and being with and in whatever is arising in the experience of the moment. Within the confluence of relationships of participants and teacher, seven unique qualities have been identified and employed in a model. Of course, many more and different qualities might be found and used to create other models as well. What truly matters, however, is that the qualities come from actions in relationship. The model only describes what an MBI group does—not some "implicit" ethical principles that can be "applied" in other situations.

The model may be useful for thinking about refinement of curriculum, pedagogy, and teacher training. Further, it can be used to better understand the tensions between teachers and participants that may lead to abandonment of the pedagogy of mindfulness and the collapse of the ethical space. Gergen's (2009) notion of "first-order moralities" makes this easy to see. He pointed out that within a confluence, everyone involved shares an understanding of what the good life is for the group and thus knows what to do. To do something opposed to the good would require "stepping out" of this way of being together and aligning with another possible way of being, another first-order morality available within one's multi-being.

To think this through, then, an optimal class will maintain the pedagogy—turning toward and being with and in experience—throughout the class session. Together they find that they know how to "go on" with the co-creation of mindfulness. However, should a participant find that she is unable to go on and instead "steps out" of the first-order morality of the group, perhaps to align with a way of being from the world of her medical treatment or her family of origin, the teacher is challenged. The teacher may choose to try to return the group again to the pedagogy of mindfulness, reinforcing the first-order morality of turning toward and being with and in experience. Contrariwise, the teacher might find the participant's actions such that the pedagogy will not be helpful and choose instead to align with a different first-order morality, such as clinical psychology, in which actions are guided by other views of the good life—even including a code of professional ethics and legal considerations.

The good for the MBIs, of course, is to maintain the first-order morality otherwise known as the ethical space. There are three main considerations in maintaining the space. First, it is important to expand the group's capacity to turn toward and be with and in experience. This comes, unsurprisingly, through the ongoing practice of the pedagogy. The more practiced the group becomes, the more they see and understand the goods generated in the ethical space, and the less likely any participant is to "step out." In other words, the participants need to steep in the atmosphere. Second, is the teachers' version of the first. We might think of it as growing trust in the pedagogy; as teachers know they can help participants turn toward and be with whatever is arising—even unpleasant and threatening experiences—they are less likely to step out. So, for both participants and teachers, what matters most is the time spent in the classroom as they are co-creating mindfulness and steeping in the ethical space. Third is a bit more technical. It has to do with the other possible first-order moralities with which participants or teachers may choose to align if they step out. Teacher and participants alike are multi-beings, so the repertoires available are quite large. It is to be hoped, and is often true, that participants step out into the most helpful first-order morality that is accessible to them in the moment. Such moves may be benign to the group, and go unnoticed, as the participant steps out in the "unfinished dialogue" of thought, resolves her tensions, and rejoins the group in the practice of the pedagogy, with no actions taken in the confluence. It is also possible that a participant may speak aloud about stepping out, and that the teacher may be able to re-engage her with the pedagogy, and the group can all go on together.

When a participant's stepping out becomes potentially threatening to others, the teacher may then be required to step out as well and to align with a different first-order morality. Again, this will most likely be the teacher's professional identity, which calls into play the ethical code and professional principles. The relationship then may become, for example, social worker to client—or clients, as all in the room are the responsibility of the social worker. MBI teachers have as many potential realignments as there are professional disciplines—more than 185 different disciplines and organizations in mental health alone, each with a written code of ethics

(Pope, 2012). Whether in mental health, medicine, or allied health professions, the point is that MBI teachers should know their "home" profession well, as it will most often be the first-order morality that they shift to in emergent situations.

This need to step out and meet a participant, and the group, is not an abandonment of principles, it is a changing of actions, a move from one morality to another—the kind of move that we undertake many times a day. It is simply acknowledgement that, in emergencies, the legal, rather than the relational, is the binding relationship. This is the reality of living in a society in which responsibilities are divided as they are, and liabilities are calculated as they are.

Conclusion

This chapter has taken a non-foundational approach to ethics in the MBIs in clinical applications. An analysis of the actions of the teacher and participants together came to identify the successful co-creation of mindfulness in the group with an ethical space, a first-order morality in which everyone implicated knows what they must do in a given moment to go on together.

The outcome of the analysis has been a model of the ethical space, in three dimensions: a doing dimension featuring actions around corporeality, contingency, and cosmopolitanism; a non-doing dimension featuring the absence of hierarchy, pathologizing, and instrumental use of mindfulness; and a dimension of friendship that colors the entire model. As participants and teacher maintain this ethical space, they steep in it, being imbued with potentials for recreating it in other situations with other people. As long as the group is capable of practicing the pedagogy of mindfulness together, turning toward and being with and in the experience of the moment, the ethical space is maintained.

In situations when it is not possible for participants or teacher to engage the pedagogy, they may "step out" of the ethical space and align with a different first-order morality. Teachers by default may use their professional identities in medical or mental health care as alternative first-order moralities, to provide the kind of protection and accountability required in the current litigious situation.

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