

ETHICAL DECISION MAKING DURING DISASTERS¹

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Abstract: Neither in theory nor in practice does there exist a single model of decision making. It is very difficult to identify a model, or models, which would be most useful during and after a disaster. Within the disaster timeframe (a difficult and complex situation), specific moral dilemmas arise. All the decision making theories tend to be associated with different assumptions about human nature, the quality of the decisions made and the manner in which they are made. Different assumptions may result in different tools being used and subsequently different consequences. The paper will provide a general introduction to the ethical decision making model, and will suggest two ways in which decisions in ethics might be made. The paper will try to deepen the discussion, and suggest answers to questions such as which type of ethical decision making is better in a specific situation such as a disaster? Is there any need to use a different decision making model (from an ethical point of view) in a disaster than in another event? Nonetheless, the article does not provide explicit solutions to these questions, since providing them would require further investigation than is the aim of this paper.

Key words: ethics; disaster; decision making; rational; intuitional.

Introduction

In 2002 the Czech Republic experienced one of the worst floods in its history. In early August heavy rains started to fall, filling up most of the rivers in the southern and western parts of the country. The weather was unstable; it improved, but in the week after the heaviest rains when everybody was expecting the end, it started to rain again. The ground was already soaked through and could not hold any more water. And the disaster began. One of the most notable places affected was the Czech capital, Prague, where many historical places (in addition to human and animal² lives) were endangered. One of the dilemmas facing the mayor of the city, Mr. Němec, was whether to allow the workers to seal a broken dam, even though it was in a dangerous zone closed to people. Němec claims he was confronted with 110 such dilemmas. The present paper shows that ethics can help people make decisions

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² Prague Zoo was affected very badly.

in difficult situations like these. One way to help them is to provide them with a better understanding of the way in which these decisions are made.

Understanding “decision making”

Considering how often the phrase “decision making” is used in ordinary day-to-day language, one would assume that defining decision making would be quite an easy task. And consequently that defining “ethical decision making” would just be one step further. In the present paper we will find out that it is not that simple.

I believe that decision making is one of the most important aspects in the successful handling of all the implications surrounding a disaster.³ Therefore, the best way to begin a paper on decision making would be to introduce a simple but adequate definition.

It is quite easy to find a lot of different theories (versions) of decision making. Each of the many decision making theories is associated with a particular area of scholarly inquiry and is based on different assumptions about the quality of decisions, about the way in which decisions are made and about the nature of the agent (decision maker).⁴ Generally authors consider there are at least four broad approaches to decision making other than ethical decision making. Namely: rational decision making, political decision making, garbage decision making and improvisational decision making (Kachra & Schnietz, 2008, pp. 554-555).

The simplest definition that interlinks them all⁵ and that will be helpful for this paper can be expressed as follows: decision making is a cognitive process which aims to select a belief or a course of action from various alternative possibilities.

Additionally, the definition must include the ethical aspect of decision making, as our aim is to consider this specific element of decision making. “Ethical decision making is a cognitive process that considers various ethical principles, rules, and virtues or the maintenance of relationships to guide or judge individual or group decisions or intended

³ In accordance with UNISDR (The United Nations Office for Disaster Risk Reduction) this paper understands a disaster to be a combination of hazard, conditions of vulnerability and insufficient capacity or measure to reduce the negative consequences of risk. Disasters that result from a neglected hazard coinciding with a vulnerable situation can have different origins: natural or human action (Leoni, Radford, & Schulman, 2011, pp. 14-15).

⁴ Additionally it is important to understand the philosophical position on which the line of argument in this paper is based since the search for the answers and final conclusions may be limited by this particular philosophical framework. The ethics of social consequences is a contemporary non-utilitarian consequentialist theory which adopts case oriented approach and is closer to the act than to the rule version of utilitarianism. Other aspects of this ethical theory are moderate subjectivity, hedonism and partial eudemonism. The theory employs the concept of positive social consequences rather than utility, refuses to advocate the position of agent-neutral and tends to accept the agent-relative position and, last but not least, it objects to the principle of maximization. For a better understanding of the issue one could look at the specific literature, for example Kalajtzis (2013). One limitation the reader should have in mind which is connected to this methodological scope is its instrumental understanding of values that is typical for consequentialism, and its focus on consequences in ethical analysis (even at the expense of duties or virtues).

⁵ This can even be understood as a junction in a sense.

actions.” Since our aim is to study decision making during disasters, this paper will focus more on guiding rather than judging decisions. According to Weber, ethical decision making “helps one determine the right course of action or the right thing to do and also enables one to analyze whether another’s decisions or actions are right or good” (Weber, 2008, p. 778). In this sense, there are other ways in which ethical decision making can be viewed. Ethical decision making can be understood as a process of seeking answers to questions about how one is supposed to act from the ethical point of view. In addition, ethical decision making can be viewed as a special model for evaluating a process that deals with the range of alternatives in a manner consistent with our ethical beliefs. In the broad view (from the point of applied ethics), ethical decision making can be seen as a practical policy that consciously recognizes the constraints of moral norms, rights and ethical principles capable of commanding universal respect (Almond, 1998, p. 417).

Of course, the purpose of the paper is not to examine the difficulty of understanding what decision making is—especially ethical decision making—but to provide an understanding which may be helpful during a disaster. In this sense one might ask: is the decision making undertaken during a disaster different from regular decision making? The obvious answer is yes. During, and immediately after, an event, there is frequently a lack of information. As a result decisions usually have to be made on the basis of incomplete information. Decision making must be flexible (capable of reacting to the unexpected) and responsive, due to the unpredictability of the situation. From the experience noted by Lahidji, decision makers should not rely on detailed procedures, but rather on a responsive decision-making structure. Decision analysis models using probabilistic methods may provide a proper tool for decision makers (Lahidji, 2004, pp. 11-13).

As already noted, there are two different causes of disaster: natural or human action.⁶ Disasters caused by vulnerability to natural hazards, such as floods or windstorms, are those that affect the most people. Withanaarachchi and Setunge claim that weather related disasters represented about 81% of all events, 72% of all economic losses, and about 23% of fatalities between 2000 and 2010 (Withanaarachchi & Setunge, 2014, p. 177). Given this information, this paper focuses on disasters caused by vulnerability to natural hazards.

How can moral theory and moral philosophers help those making decisions during disasters? Before the paper goes more deeply into ethical theory and tries to answer this question, there is one more issue which should be resolved. Is ethical decision making different from other theories (approaches) of decision making? In my opinion there are two different viewpoints. On one hand we can deliberate about ethical decision making as a specific type of decision making (approach to decision making). In this sense there is a specific procedural difference in ethical decision making compared to other decision making theories.⁷ On the other hand, we can deliberate about ethical decision making as a specific

⁶ More precisely, according to UNISDR, there is no such thing as a natural disaster. Nature provides the hazards (for example, earthquakes or floods), but humans create the disaster. It is important to note this difference so we are aware that although we cannot prevent, for example, a flood, we can prevent it from becoming a disaster (Leoni, Radford, & Schulman, 2011, p. 11).

⁷ For example, the power and politics decision making model is different from the ethical decision making model in the sense that the main aim of the former is to make decisions which will, on

aspect which should (and hopefully could) be included in any preexisting model of decision making.⁸ Specific moral dilemmas arise in the disaster period (a difficult and complex situation). Ethical decision making should in this sense form guidance which will steer our decisions towards the right choices (in a moral sense). Therefore, every time our choices involve making a decision between good and bad as moral categories, we undertake ethical decision making.

This paper understands ethical decision making in this second sense. Subsequently, its goal is to present the best way in which moral philosophy can help provide guidance. The assumption inherent in this paper is that in our context the goal of moral philosophers (and moral theory) is to study how we make (ethical) decisions and which way might be most useful during a disaster. Therefore the following part of the paper compares rational and intuitional ways of judging during decision making.

Rational versus intuitional

To better understand our issue, I will begin this part of the paper by presenting well-known moral dilemmas. The first is called the trolley problem and it was inspired by Philippa Foot's paper from 1967. Imagine that you are the driver of a runaway tram which you can only steer from one narrow track on to another. Five men are working on one track, and one man on the other; anyone on the track you choose is bound to be killed. You cannot stop the tram car; you can only direct it from one track to another. You can decide whether the tram car goes straight on and kills five people or whether to steer it to the track with only one person. Should you pull the lever?⁹ Kenan Malik, following the examination made on this dilemma, claims that most people, unsurprisingly, say 'Yes'¹⁰ (Malik, 2014, p. 310; Foot, 2002, p. 23).

If the dilemma is modified slightly, the answers change dramatically. Imagine that you are standing on the bridge under which the runaway tram will pass. You cannot divert the trolley, but you could stop it by dropping something heavy in front of it. And there happens to be an exceedingly fat man next to you. You consider jumping off the bridge, in front of the

account of the available information, probabilities of events, and cost benefit analysis, ensure the best consequences for the individual. It advocates the idea that decisions are the result of individuals competing against one another to satisfy their individual interests. The later decision making model (ethical) sees the best decision as the one which can satisfy the maximum number of subjects. The procedural difference in this example is that the first model considers only one agent and the second model a wider range of agents.

⁸ It is possible to aim for good (in a moral sense) in almost any imaginable decision making model, even if that is not its main aim.

⁹ In her "The trolley problem" paper, Judith Jarvis Thomson reasons on this dilemma and introduces other possible variants. The first case, called "Trolley Driver" that originated in Philippa Foot's writing, is replaced by "Bystander at the Switch", where only a bystander can throw the switch and turn the tram, and the "Fat man" problem in which the agent needs to become involved in a very personal way to stop the tram (Thomson, 1985, pp. 1397-1409). The trolley dilemmas have become so popular that the term trolleyology was invented to indicate the area of philosophical study dealing with the kind of moral dilemmas inspired by the trolley problem.

¹⁰ J. Greene calls this type of answer a (characteristically) consequentialist type of response, as people tend to hit the switch to save more lives (Greene, 2014, p. 700).

trolley, sacrificing yourself to save others, but you realize that you are too small and light to stop the tram. Thus the only way you can stop it and save the lives of five innocent people is to push this large stranger off. He will be killed, but the others will be saved. Would it be moral for you to push him over the bridge and onto the track? Although the moral dilemma is almost the same and the choices we face (kill five or kill one) are essentially identical, most people would say ‘No’¹¹ (Thomson, 1985, p. 1409; Singer, 2005, p. 340; Malik, 2014, p. 310).

As Singer noted, the reason most people will judge the action in one of these situations to be right and in the other to be wrong is because we rely solely on our intuition.¹² Most people take the moral intuition elicited by the situation they face as correct most of the time, and only afterwards seek to justify it. This can be problematic in many ways. Judgments (part of decision making) based only on intuition and justified only later are harder to explain,¹³ harder to uphold and as we can see in the dilemmas given, they can even be wrong. The question arising in connection to this is—why do we have these types of intuitive reactions? Or more precisely, where are the roots of the different judgments we make about the two similar situations?

Before answering these questions, let’s consider another pair of dilemmas raised by Peter Singer. On your way to work you pass a small pond in which you see a child splashing. It is quite unusual because the weather is not very nice and it is quite early. As you get closer, you see that the toddler is flailing about, unable to stand or get out of the pond. There is no one around, just you. The child is unable to keep his head above the water and if you don’t help, he will most likely drown. Wading in to save him would be easy and safe, but you would ruin your shiny new shoes, get your suit wet and be late for work. What should you do? Most people would consider not helping, a horrible (atrocious) act. When this dilemma is used in teaching, Singer suggests that most of the students respond with sound claims for saving the children, and consider missing work or destroying the shoes or suit as trivial (irrelevant) (Singer, 2009, pp. 4-5).

Imagine another situation: suppose you are asked for a donation to help save the life of a child in India. But you decide you cannot afford to give money to charity because you are saving up to buy yourself a nice holiday to Greece. So you decline the request. As Malik

¹¹ J. Greene calls this type of answer a (characteristically) deontological type of response, as people think that it is impermissible to push the lever to save more lives (Greene, 2014, p. 700).

¹² This claim is based on Jonathan Haidt’s research which suggests that rationalist models of moral judgment are incorrect. He suggests a “social intuitionist model” which claims that moral judgment is caused by quick moral intuitions, and followed by slow moral reasoning afterwards. Intuitions occur quickly and automatically while reasoning occurs slowly and requires effort (Haidt, 2001, pp. 816-818).

¹³ An example of this difficulty might be found in a story presented in Singer’s paper, but originating from Jonathan Haidt’s research. Imagine Julie and Mark, who are brother and sister. They are traveling together on summer vacation to Europe. One night when they are staying together in a cabin near the beach, they decide that it would be fun and interesting if they try and make love. At least it would be a new experience for both of them. Julie is already taking birth control pills, but Mark uses a condom too, just to be safe. They both enjoy it but decide not to do it again. It is their special secret, which makes them feel closer to each other. The question which arises is, was it okay for them to do it? Most people hurry to answer that it was not OK, and they base their judgment on intuition. Afterwards they look for the reason and point out the danger of inbreeding or harm, even though it is clear from the story that they used birth control and they both enjoyed it. In the end most people have no clear and explainable argument for their response (Singer, 2005, pp. 337-338).

suggests, only a few people would deem that to be immoral. And again as in the moral dilemma with the trolley car, there seems to be no objective difference between these two cases. Yet to most people they appear unquestionably morally different. As Joshua Greene suggests, the difference lies not in the facts but in the way our brains process those facts (Malik, 2014, p. 311).¹⁴ Different parts of our brain are more active when we contemplate “personal” moral dilemmas (such as the modified tram/bridge dilemma) compared to when we consider “impersonal” dilemmas (such as the original tram dilemma).¹⁵ Pushing someone to their death (tram/bridge) or not helping a child in the pond is more personal than hitting a switch (the original tram dilemma) or refusing to donate even though they have similar (the same) consequences. Harming someone in a personal way is more emotionally salient than harming someone in an impersonal way. Greene suggests that people fail to have a strong negative emotional response to relatively impersonal violations such as in the original tram dilemma and therefore revert to the most obvious moral principle—minimize the harm and agree to divert the tram from one track to another (Greene, 2002, pp. 164-166).

The search for answers

For most of our history, humans have lived in small groups in which violence could only be inflicted in a personal (up-close) way, such as pushing, hitting or using a stick. Humans evolved in an environment in which sometimes only personal sacrifice could save the other. To deal with this, we have developed fast, emotionally based responses to personal interactions with others. That is one of the reasons why we respond the way we do to dilemmas such as the tram / bridge one where there is a need to push someone to their death. Our emotionally based responses are triggered. Throwing the switch to divert the tram bears no similarity to the situations our ancestors faced, and doing it does not evoke the same emotional response as pushing someone. We do make a moral distinction between personal killing and a situation where the death is the result of a less personal (mechanical) action. Thus the question arises: “...what is the moral salience of the fact that I have killed someone in a way that was possible a million years ago, rather than in a way that became possible only two hundred years ago?” The answer, obviously, is none (Singer, 2005, pp. 347-348; Malik, 2014, p. 311).

In the past century the discussion dominated between those who ground their normative ethics in intuition or common moral judgment and the proponents of a more systematic normative ethical theory such as consequentialism. The concept of consequentialism has been attacked for clashing with moral intuition. There are many examples of such accusations; probably the best known is Bernard Williams’ dilemma of a botanist and 20 people who are about to be shot¹⁶ (or Dostoyevsky’s *The Karamazov Brothers* challenge of torturing a little child). Today we have a better understanding of the nature of our intuitive

¹⁴ We could, and should, step back and take a more sober reasoned view of our dilemmas. When we do so, we realize that there is no moral distinction between the dilemmas introduced above.

¹⁵ In Greene’s classification, personal dilemmas are likely to cause serious bodily harm to a particular person, where this harm is not the result of deflecting an existing threat onto a different party. All other moral dilemmas are classified as impersonal (Greene, 2002, pp. 167-168).

¹⁶ He is told that nineteen of them can be saved, but only if he kills the twentieth.

responses, which suggests that there is no reason to rely on intuition any more. Our better understanding of ethics gives us grounds to respect our intuition less (Singer, 2005, pp. 343, 348-349). That doesn't mean we should neglect intuition. What we need to do is be aware and be able to separate out judgments that are evolutionary and culturally influenced from those with a rational basis.

Another interesting suggestion comes from Greene, who compares human morality to a digital camera. "Your camera has standard point-and-shoot settings, but it also has a manual mode. Most of the time you just point and shoot, and it works very well. But if you are doing something special, you put the camera into manual mode, so you can adjust everything yourself, tailoring your shot to the specific situation at hand" (Reuell, 2013). Human morality can work in both modes: manual (rational base) and automatic (intuitional base). Both of them have their pros and cons. The automatic mode of morality is quicker, instinctive and easier in a way. But at the same time, during difficult times (such as disaster) it may go wrong. The manual mode may bring us better results even in the hardest of conditions, but it takes time and requires experience.

So why might it be better to rely on rational instead of intuitional judgment when making ethical decisions regarding disasters? As Haidt¹⁷ has suggested, when faced with the social demand to verbally justify a decision, one becomes a lawyer trying to build a case rather than a judge searching for the truth (Haidt, 2001, p. 814).

Conclusions

The neuroscience findings on the dual-process theory of moral judgements illustrated in the camera analogy, and the findings about diverse influences on intuitive moral judgements suggest that "people, at least sometimes, do not make good moral judgements in response to moral dilemmas for they are inappropriately sensitive to mere personal force and mere spatial distance" (Greene, 2014, p. 713). The question before us, and which we are unable to answer properly yet, is which way of judging is more useful when making ethical decisions during a disaster.¹⁸ On one hand, quick and intuitive responses based on emotions are much needed during a disaster because they are efficient. But on the other hand, as seen in the dilemmas presented, automatic (quick) decision making is not always the right method and it lacks flexibility. In most situations reason (controlled cognition) is a better guide (advisor) than "just afterwards" rationalized intuition. This type of reasoning is flexible but also inefficient. It is necessary to mention that both have their place in ethical decision making during disasters. Without deeper discussion and argumentation it is hard to pick the right one. The question remains as to whether the findings discussed in this paper might help others faced with such decisions in the future.

¹⁷ Thanks to Haidt's and Greene's research we can distinguish between immediate emotionally based responses and more reasoned conclusions.

¹⁸ One of the reasons it might be important to answer this question are contemporary findings which suggest that some professionals (who may be present during disaster problem solving) make one rather than the other kind of judgment. J. Greene refers to Katherine J. Ransohoff's honors thesis, which claims that public health professionals make more characteristically consequentialist judgments than doctors and ordinary people in response to medical dilemmas (Greene, 2014, p. 706).

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