Chapter 10
Disaster Consequentialism

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Abstract In this chapter I will give an interpretation of the role consequentialist ethics can have in disaster settings. I will argue that consequentialist ethics is most appropriate when decisions are taken that affect not single individuals but larger numbers of people. This is frequently the case in political decision making, especially when powerful states act in the domain of international relations, but also in disaster settings. I will focus on the latter settings and argue that in those contexts consequentialism is most adequate as a moral theory. I will also contend that different situational settings require different ethics. The moral relevance of these situational settings is primarily dependent on the number of people affected by morally relevant decisions. The formulation of my position will be preceded by a brief review of the historical development of consequentialism, primarily related to disaster settings. In order to make my arguments as vivid as possible I will use four vignettes. In two of them consequentialist ethics is appropriate, while in the other two deontology is a more reasonable moral theory. In the former two we deal with large numbers of people in disaster settings; in the latter two with "regular" settings that do not affect the lives of many individuals.

Keywords Disaster consequentialism · Consequentialist ethics · Disaster settings · State consequentialism · Deontology · Ultimate harm · Situational settings

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10.1 Introduction

Consequentialism argues that the morality of an action is contingent upon the action's outcome or consequence. Hence, a morally right action is one that produces a good outcome or consequence. The more people are affected by such an outcome, the better it is.

Consequentialist ethics is essential in the context of disasters. The reason is that disasters frequently affect large numbers of people. Accordingly, the focus is often not on the individual, but on the consequences for larger numbers of people. Hence, consequentialism is an approach to ethics that appears to fit the context of minimisation of deaths and suffering in disaster settings.

But how did consequentialism come about as a theory and how has it tried to address disasters? In what follows I will address a number of the main consequentialist approaches to disasters, some of them in their historical contexts. These approaches are contingent upon two issues: first, various types of consequentialist ethics, and second, the historical development of a range of disasters humanity has been facing.

To some extent I will structure my chapter on the basis of these two issues, at the same time being very selective and focusing only on those consequentialist approaches that are either the most relevant ones or directly related to disasters. An extensive analysis of various variants of consequentialism will remain outside this chapter's scope. Thus I will not go into any details and specificities of rule consequentialism, two-level consequentialism, motive consequentialism, negative consequentialism, the "acts and omissions doctrine," etc.[1]

I will conclude that different situational contexts sometimes require different ethical approaches. These situational contexts are not so much culturally determined as they are contingent upon the existence of a disaster setting marked by (medical) emergencies in which multiple lives are at stake and in which there is a shortage of resources that are needed to save those lives. Furthermore, I will conclude that consequentialist ethics is often the most acceptable (least unacceptable) approach when decisions have to be made about many individuals. Such decisions are frequently taken in disaster settings.

First I will give a very brief overview of the development of consequentialist ethics and refer to a contemporary debate regarding consequentialism through the example of a theory that addresses the issue of major disasters. Almost needless to say, this will only be a background sketch for the theme of this chapter and by no means something that will even resemble exhaustiveness.

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[1] These types of consequentialism are being examined in various studies on ethical theories, starting from corresponding sections in the Stanford Encyclopedia of Philosophy, to Mizzoni (2010) and Hooker (2000).

10.2   Mohist Consequentialism

The first form in which consequentialism appeared was state consequentialism, notably *Mohist consequentialism* (fifth century BC, named after the Chinese philosopher, Mozi). It appeared precisely as an attempt to address disaster settings. All this occurred long before the emergence of utilitarianism as a moral theory that focuses on individuals.

Mohist ethics had many elements of a political theory. During Mozi's era, war and famines were common in China, and population growth was seen as a moral necessity for a harmonious society. Mohist consequentialism evaluates moral values on the basis of how they contribute to the interests of a state. Hence, it defines the interests of the state (i.e., the good) through social order, material wealth, and population growth (Loewe and Shaughnessy 1999). In other words, it tries to encapsulate the social order of that time in a moral and political theory that is deemed to be the most appropriate one for addressing the challenges of that order. Mohist consequentialism is therefore based on a plurality of intrinsic goods taken as constitutive of human welfare in the context of the Chinese state of Mozi's time, a state that was partially marked by disaster settings. In sum, consequentialism initially appeared as state consequentialism in the form of a moral theory that attempted to address disasters.

10.3   Consequentialism in European Antiquity

Although various types of consequentialist ethics were debated in Ancient times (e.g., in Plato's dialogues, with Thrasymachus from the *Republic* as one of the prototype consequentialists), I will refer here only to hedonistic, egoistic and ascetic moral theories. The reason for mentioning them is not only their importance in Ancient times, but also the fact that these theories are types of consequentialism that have the individual rather than the state in their focus, departing in that way from State-centred approaches, such as Mohist consequentialism.

Hedonist theories argue that pleasure is the most important pursuit of humankind, while individuals should make an effort to maximise pleasure and minimise pain, i.e., achieve a net balance of pleasure and pain in which the former dominates the latter (Tannsjo 1998). One of the most well-known Ancient hedonistic theories is *Epicureanism*. This type of moderate hedonism seeks to maximise happiness, but defines happiness more as a state of tranquillity than pleasure (Evans 2004).

Egoist theories hold that an action is morally right if it maximises the good for oneself. Hence, egoism might justify actions that are good for the individual, but detrimental to the general good (ibid.).

Asceticism, on the other hand, promotes a life characterised by abstinence from egoistic pleasures. Its aim is generally the achievement of a spiritual objective. Ascetic theories have also influenced the concept of the moral good in early Christian and Medieval times (Clark 1999).

All these individual-based consequentialist theories are not very well suited to addressing disasters. The reason is that they are embedded in rather different contexts, contexts in which philosophers contemplate about the good life of individuals.

10.4 Machiavellianism

With Machiavelli we see a revival of state consequentialism. The historical context of his moral theory was the context of potential disasters. Machiavelli's perspective is one of an adviser to an absolutist ruler of his time. Clearly, a small city state on the Apennine peninsula that is determined to preserve itself against predatory empires surrounding it has to employ various cunning tactics. As its government is absolutist, the interest of the state and the interest of the ruler are perceived as identical ('*l'Etat c'est moi*'). The means the absolutist ruler employs are justified by their consequences. These consequences should consist of disaster prevention in the ruler's principality that is to make sure not to be overrun by a predatory empire determined to enslave it and subjugate to its own rule and culture. As enslavement is a consequence that is highly detrimental to the interests of the people living in Machiavelli's city state, the absolutist ruler has the moral right to employ a wide variety of means (some of them with immediate immoral impact) in order to avoid disastrous outcomes for the state.

It ought to be noted that Machiavellianism has modern variants that are neither embedded in the context of absolutist states, nor in the context of disasters. The *Raison d'Etat* is frequently employed in international relations by democratic states that do not face disasters. The justification for this type of morality is frequently some sort of pragmatic moral theory. One such theory is promoted by Benjamin Barber, who argues that morality is constructed in the political realm. It is, as it were, some kind of added value to politics. Barber is therefore aversive towards philosophers deciding about what will count as moral (Barber 1989). Note the similarity with Machiavelli:

> But since it is my intent to write something useful to whoever understands it, it has appeared to me more fitting to go directly to the effectual truth of things than to the imagination of it. And many have imagined republics and principalities that have never been seen or known to exist in truth. For it is far from how one lives to how one should live. That he who lets go of what is done for what should be done learns his ruin rather than his preservation. (Machiavelli, The Prince, Chapter 15).

Both Machiavelli and Barber commit a typical is-ought mix-up by assuming that prescription is to be based on description, that ethics is to be founded on existing reality (in their view this reality is politics). But the interest of the state does not necessarily have to be anything morally desirable, especially if the means for achieving it are immoral. In a liberal state, moreover, the interests of the government and the state certainly do not have to coincide. Hence, Machiavelli might be right that "letting go of what is done for what should be done" brings about the ruler's "ruin rather than his preservation", but that does not mean that "what is done" is moral. Still, Machiavelli's position can be justified by the context of an absolutist

ruler trying to preserve his state (frequently meaning his rule) from the disaster of its disappearance. Barber's state (the U.S.) is a democratic state that does not face an imminent disaster of that type. Hence, Machiavelli's pragmatic consequentialism has a moral justification in small absolutist states. Such type of consequentialism is more difficult to justify in contemporary political theory in democratic contexts, as in these contexts the preservation of a government and the state do not coincide.

All in all, pragmatic consequentialism as a *moral* theory faces serious difficulties in non-disaster settings. As a *political* theory it is however entirely justified as a means of maximising the power of the state vis-a-vis other states. We see here therefore how wrong it would be to reduce the moral to the political. Such a reductionism can be justified if the state is in danger of disappearance or if the state and/or society is in danger of facing another type of disaster of similar magnitude, but under "regular circumstances" reducing the moral to the political can hardly survive as a coherent ethical theory.

10.5   Utilitarianism

The emergence of utilitarianism was a landmark event in the development of consequentialist ethics. Though not fully articulated until the nineteenth century, utilitarian stances can be encountered throughout the history of ethical theory (e.g., see Gill 2006).

Although there are many varieties of utilitarianism, it is generally considered to be the view that an action is morally right if its consequences produce the most good, i.e. the greatest happiness of the greatest number of people. Utilitarianism holds that happiness is the maximisation of pleasure and the minimisation of pain. According to utilitarians, the idea that the moral worth of an action is solely determined by its contribution to overall utility (maximising happiness or pleasure, minimising pain) applies to all individuals. Hence, in utilitarianism it is the *total utility of individuals* that is important.

Utilitarianism holds that pleasure (happiness) is intrinsically valuable, while pain (suffering) is intrinsically disvaluable. Consequently, everything else has value only to the extent that it contributes to happiness and the prevention of harm. In that sense, as with all other types of consequentialism, utilitarianism is instrumental: it justifies a broad spectrum of means leading to a desirable end, defined by utilitarians as a maximisation of pleasure.

Utilitarianism favours equal consideration of interests, rejecting any differentiation among individuals as to who is worthy of concern. It does not discriminate among individuals. Utilitarianism does however support the idea of declining marginal utility, recognising that the same thing can serve the interests of a well-off individual to a lesser degree than it would serve the interests of a less well-off individual.

The origins of utilitarianism are often traced back to Epicureanism. But as a specific school of thought, it is generally attributed to the founder of utilitarianism

in England, Jeremy Bentham (e.g., Bentham 1789), as well as to John Stuart Mill (e.g., Mill 1861). Arguably the most influential contemporary utilitarian, Peter Singer, expands the principle of utility from humans to a continuously expanding circle of beings with moral status, specifically animals (Singer 2011).

Finally, let it be noted as well that utility, after which utilitarianism is named, is a measure in economics pertaining to the relative satisfaction and desirability of the consumption of goods. Utilitarianism can therefore be seen as a quantitative approach to ethics, in which the maximisation of pleasure/minimisation of pain is the common denominator of the moral value of the consequences of our actions.

10.6   A Contemporary Debate: "Ultimate Harm"

Much of contemporary ethical thought has some form of utilitarianism/consequentialism as its grounding rationale. It would be far beyond the purposes of this chapter to go into the debates on this issue or even to give an adequate review of the themes that are at stake. I will limit myself therefore to one highly influential consequentialist theory in bioethics that has a lowering of the likelihood of disasters as its grounding rationale. Igmar Persson and Julian Savulescu have promoted a theory in recent years which argues that humanity has adapted its morality through evolution to what is considered as right and wrong in small close-knit societies. In such societies not much attention is being paid to broader communities and the non-immediate future. Hence, the morality of such societies is "myopic". With the rapid development of new technologies, however, humanity faces the danger of large-scale disasters, some of which may either annihilate humankind or make worthwhile life on this planet forever impossible. Persson and Savulescu call this scenario "ultimate harm". As humanity is "morally myopic" and hence incapable of truly understanding and preventing the danger of ultimate harm, it is in need of moral bioenhancement: an improvement of its moral character by biomedical means (Persson and Savulescu 2012). They initially argued that the state ought to make this kind of moral enhancement mandatory (Persson and Savulescu 2008), while in their later writings they have not adopted a decisive stance on that issue (Persson and Savulescu 2012).

The relevant point for the purposes of this chapter is that Persson and Savulescu do not justify moral bioenhancement by some intrinsic good that is contained in morality, but by its consequences. These consequences consist in a lowering of the likelihood of disasters, especially a major disaster that would in one form or another practically annihilate human life, or at least worthwhile human life. In line with much of consequentialist thinking, they justify the strategy they propose by its consequences for large numbers of people.

Persson and Savulescu have been criticised by various scholars for a multitude of reasons, ranging from the argument that cognitive enhancement is sufficient for moral betterment and that moral bioenhancement is therefore superfluous (Harris

2011) to the argument that moral bioenhancement is to be aspired, but only under the condition that it is elective[2] (Rakić 2014).[3]

A scholar who cogently brought into question the consequentialism contained in the argument of Persson and Savulescu was Harris Wiseman. He argued that the whole conception of seeking a grounding rationale for moral enhancement in the lowering of the likelihood of ultimate harm was misguided. In actual fact, Wiseman brought into question the entire consequentialist strain of Persson and Savulescu's position. He argued, namely, that the morality of actions ought not to be justified merely by their consequences, even if they are as dramatic as is ultimate harm (Wiseman 2014).

10.7 Different Games, Different Moral Rules

Utilitarianism is an appropriate moral theory irrespective of the fact whether the context is regional (earthquakes, tsunamis, hurricanes) or global (ultimate harm disasters included) – as long as it deals with many people rather than a single individual. Similar to other types of consequentialism, utilitarianism might be entirely appropriate in disaster settings, at the same time being a much less adequate moral theory in "normal", non-disaster and non-emergency settings. Let us look at the following examples.

Example 1 Terrorists have detonated a bomb in the main hall of an airport. There are a few dozen fatalities and hundreds of wounded people. Some of them are severely injured with a very low likelihood of survival, others are severely injured with moderate chances of survival, a third group of people are severely injured with a high likelihood of survival, another group have no life threatening injuries but require immediate medical care, and yet another group of people have mild injuries. There is a shortage of medical staff at the scene, people are panicking, and immediate action is required. In such a disaster setting, a consequentialist approach would be entirely appropriate. Medical staff would have to make triage decisions: resources should be spent on those who are severely injured, but with a reasonably high likelihood of survival. If those resources were spent on the injured victims with a low likelihood of survival, fewer lives would be saved as a consequence.

Example 2 Two armies face off in the battlefield. One of the two has many killed and wounded soldiers and its commanders order a withdrawal. As a consequence of a shortage of logistical resources, some wounded soldiers have to be left behind.

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[2] This also raises doubts about the relevance of the theory of Persson and Savulescu for the disasters which are most common: those that do not affact the whole globe, but that are limited to certain regions of the world. I am indebted to Dónal O'Mathúna for this insight.

[3] A similar but less emphatic stance in favor of voluntary moral enhancement can be found in Douglas (2011) – published before Rakić's work.

Triage follows. Such triage might resemble the one from Example 1, but it could also have other specificities. For instance, preference might be given to preserve the lives of medical staff in order to have as many people as possible who can save the lives of those wounded soldiers who will not be left behind. This is a typical consequentialist logic that is fully justified in the described setting.[4, 5]

These two examples of consequentialist logic, even if justified in the cases the examples refer to, would be inappropriate in a non-disaster and non-emergency setting. Triage based on consequentialist ethics is something that is unlikely to occur under regular circumstances in a hospital with sufficient medical resources. In such circumstances the moral logic of the physician is usually a deontology that is based on his professional virtues – the duty to provide the best possible medical care to the particular patient whom the doctor is treating. A utilitarian logic in such circumstances might be ludicrous. Take the following well-known example.

Example 3 David, Klaas and Hakan are terminally ill. In order to survive, David needs a heart transplant, Klaas a liver transplant, while Hakan can only be saved if his pancreas is being transplanted. Nemanja and his wife visit their friends. To his surprise and dismay Nemanja's wife tells her beloved husband that he has the moral duty to save these three lives, sacrificing his own, by donating his heart to David, liver to Klaas and pancreas to Hakan. Nemanja, a utilitarian, is at pains to persuade his wife that in this particular instance the morally justified net utility does not consist in saving three lives by sacrificing one life (his own life).

Let us now expand on some of the derisory absurdities of utilitarianism (and other sorts of consequentialism) in certain contexts, on the basis of the following example.

Example 4[6] Mr. Prokic is a hard-working husband and father of two children, who lives in country A. He has a mediocre marriage. His wife perceives him as unromantic and generally uninspiring, while both his son and daughter think he is outright dull. Mr. Prokic makes nobody particularly happy or unhappy. At one point he meets a refugee from country B, Mr. Bajic. Mr. Bajic is a consequentialist. He was a colonel in the army of the Communist state Y, taught Marxism at the military academy and

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[4] This is however not without debate. A number of authors argue that a purely consequentialist approach needs to be balanced with other ethical approaches (Petrini 2010). See also Ten Have (2014) and Barilan (2014).

[5] The moral principles from Examples 1 and 2 are of course nothing new. They are taught at medical schools throughout the world within subjects that deal with urgent and war surgery. They are one more indication that in those specific contexts it is consequentialist ethics that is being applied as a rule.

[6] The characters in this example are people I personally know. I have changed their names and some of their essential peculiarities in order to make them both unrecognizable to the reader, as well as to make the point as strong as possible (zoophilia being made up as one of their characteristics). The substance of their moral character and a variety of the situational contexts in which they operated have however been left unchanged.

worked for the army's counter-intelligence service, mainly by reporting politically suspect conversations conducted by his comrades and friends to his superiors. After the breakup of Y, Mr. Bajic joined a paramilitary group. When this rogue army started to withdraw from the parts of B where Mr. Bajic originated from, he began to claim first a C and later a B origin of his last name, but he remained nonetheless unaccepted as their kin by both the members of ethnic group C and ethnic group B. Finally Mr. Bajic decided to flee to A where he retired from the army and registered as a refugee.

Mr. Bajic is also a zoophile. He became that as a juvenile in his village in B in which there were only 20 households. His life as a goat herder contributed to him developing a sexual interest in goats. He never married. After registering as a refugee in A he purchased a house in a village near A's capital and bought dozens of goats from his retirement money that was being paid regularly to him by the army. He took good care of his goats and continued to acquire satisfaction by being sexually intimate with them.

Mr. Bajic had a long lasting interest in ethics. He masqueraded before his friends, some of whom were his former students, as a deontologist – in order to make more efficient use of his hidden consequentialist inclinations. However, to Mr. Prokic he did not masquerade as a deontologist. Mr. Bajic explained to Mr. Prokic that he leads a morally more laudable life than Mr. Prokic. His argument was that he contributes to net happiness in the world more than Mr. Prokic does: he is happy, his goats are happy, he does not harm anyone, he has fun with his friends and neighbours, while on the other hand, Mr. Prokic makes nobody happy. Mr. Prokic was perplexed.

But that was not the end of the story. Mr. Bajic introduced Mr. Prokic to his good friend, Mr. Bobanic, a zoophile Mr. Bajic knew from his childhood life in rural B, and also a petty criminal. Mr. Bobanic left B for A right after the beginning of the war and was very critical of A for not being able to carry out an efficient draft and swift occupation of B. Mr. Bobanic, who maintained tight connections with the secret police for which he worked in the communist period, soon became the director of a ruined company from the socialist period. The state tolerates the existence of this company as it employs a few hundred people, paying them minimal salaries. Mr. Bobanic is involved in various petty criminal activities, primarily low-level corruption. As he does not steal a lot, the dominant political party signals to the police and public prosecutor to leave Mr. Bobanic and the company he runs at peace.

At one point Mr. Bajic opened his heart to Mr. Prokic in the following way: "You see, even Mr. Bobanic is more moral than you are; he is even more moral than I am, as he contributes most to the net balance of happiness – Mr. Bobanic makes both himself happy because he can realise his zoophilia, he steals to the extent that this makes him happy, his company employs hundreds of people who live in poor conditions but are happy for not being hungry, and as a petty thief he does not cost the state too much. In conclusion, if we classify the morality of the three characters in this example in a utilitarian fashion, we will get the following list in decreasing order of morality: Mr. Bobanic, Mr. Bajic, Mr. Prokic.

Intuitively, however, most of us would be inclined to morally prefer Mr. Prokic's dullness and the fact that he does not make anyone too happy or too sad, to Mr. Bajic's zoophilia, hypocrisy and a general dishonesty pervading his entire life (all of which goes unnoticed), and especially to the corrupt "businessman", petty criminal and zoophile Mr. Bobanic who appears to contribute most to the net balance of happiness at the expense of unhappiness by both his zoophilia (that brings Mr. Bobanic a lot of joy) and his position in the state socialist company that he runs and in which his employees are spared of extreme existential hardships (for which some of them even glorify Mr. Bobanic).[7]

Examples 1 and 2 favour consequentialism, while Examples 3 and 4 are intended to describe contexts in which utilitarianism and any other sort of consequentialism appear to be defective moral theories. Especially the last somewhat extravagant example is designed in a way that shows a whole range of issues that bring into doubt a utilitarian/consequentialist ethics in that specific context.

10.8   Disaster Bioethics as Disaster Consequentialism

In disaster settings in which decisions have to be made that are based on triage aimed at saving the largest possible number of lives with insufficient resources, the number of lives saved trumps respect for cultural conventions. The reason is that saving lives is a universal moral value. It is morally more significant than a culturally determined convention that is relevant only in a specific context with relative rather than universal values.

One among many examples is the following. Disaster responders have saved lots of people's lives by performing amputations. Although the amputees have been ostracised in some of the cultures they originated from, ending up starving, this has not resulted in disaster responders ceasing to perform amputations. The reason is that in certain cases amputations can save lives.

A dogmatic sacralisation of cultural specificity is immoral if it means that we ought to discriminate between people on the basis of some type of social status or other trait and infer from that that some lives ought to be preferred to other lives. The extent to which cultural values are to be respected is a matter of degree. That is why their value is relative rather than universal. They are conventions.

Certain moral values, on the other hand, are more than conventions. Treating human lives equally is one such value. Still, even here there can be exceptions. One of them has been addressed in this chapter: disasters. In disaster settings, namely, the value of equal treatment of human lives can sometimes be relativised. It might

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[7] Of course, various problems might be opened if we try to calculate utility in a different way, e.g. by arguing that the state and its citizens would be better off if Bobanic and similar characters were fired and arrested. That might very well be the case, but in our example the state does not maintain such a logic. Hence, Mr. Bajic is entirely right when arguing from his consequentialist standpoint that Mr. Bobanic is a morally laudable personality.

be morally justified to "let go" of a life in order to save more lives. In cases in which decisions are being taken about multiple lives, while medical resources are insufficiently available, disaster respondents might have a moral duty not to treat a patient who is unlikely to survive – in order to save *more* lives. Examples 1 and 2 illustrate such cases. In those settings consequentialism turns out to be a superior moral theory.

In non-disaster settings, on the other hand, deontology (Example 3) or virtue ethics (Example 4) are the ones that are being preferred. In Example 3, Nemanja does not have a moral duty to sacrifice his life by donating his organs to other people. Moreover, neither his wife nor the treating physician of the three patients has a moral duty to demand this from him. The treating physician has a moral duty to employ other means to help his three patients. Hence, consequentialism is out of the question here as an acceptable moral doctrine. Similarly, in Example 4 consequentialist ethics results in absurdities. In this example it is the virtues of the three characters that we apparently value much more than the consequences of their deeds. Here it is virtue ethics that appears superior.

All in all, in different situational settings different moralities are being preferred. Settings in which consequentialist ethics is preferred are those in which decisions have to be taken about multiple lives. Disasters generally belong to them. It can therefore be concluded that disaster settings appear to require *disaster consequentialism*.

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