

## Ethically Tolerable Accidents

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Mankato State University

When John Gookin called me last Winter about speaking to the 5th Annual Wilderness Risk Management Conference, it was easy to reply, "Sure, I can do that." After all, I had attended all but one of the conferences and had spoken at each of them. Then I asked John about what he wanted me to talk about, assuming that of course he would want me to give the same talk I had given before. Piece of cake assignment. John hesitated and said he would get back to me on that. After a short time had passed, John sent me an e-mail with my assignment: **The Ethically Tolerable or Acceptable Accident**. I turned pale, gulped, and stammered out a "sure, I will do that for you" reply. This was more than I had bargained for. Where would I turn for intellectual ammunition? Aristotle, Plato, Kant, Carol Gilligan....I could not remember ever reading anything by any of the great philosophers or theologians about the topic which John had assigned me. On the other hand, it seemed obvious that given the ethical nature of the topic, that of course I could do a credible ethical analysis of this topic, drawing from the sources that I use on a regular basis.

Then I started thinking back over my career so far as an experiential educator. It has been 28 years now since Jed Williamson gave me my first job as a Sherpa at the North Carolina Outward Bound School and there have been a lot of accidents that I know about: Henry McHenry's fall in 1972; Don Haldiman's fall in Linville Gorge; the young woman raped while on solo at North Carolina Outward Bound School in 1971; Brad Shaver's death in the Himalayas; the two young women at Northwest Outward Bound School who died on final expedition in the Oregon Cascades in 1971; the college students from the University of Puget Sound who died in an avalanche on Mt. St. Helen's, while I was camped that very night about 1,000 feet below; Devi Unsoeld on Nanda Devi; Willi Unsoeld on Rainier; my own 30 foot leader fall in Boulder Canyon in 1982 that should have put me into a wheel chair for life; the 1989 N.O.L.S. accident on Mt. Warren where a young 24-year-old student died; the 1996 Everest expedition that has been so thoroughly written about and discussed; the 1997 University of Alaska accident which killed two students and seriously injured many others; Craig Dobkin's fall several years ago that put him in a wheel chair. There are others. I realized that I have had a lot of personal experience with accidents either from direct personal experience or from reliable second hand knowledge.

I want to draw from my own experience in this paper but I am instantly faced with an acute dilemma. It is a dilemma that is pregnant with meaning for me personally and for our profession in general. How do I draw from the accidents that I know about and use them as a source of moral education when many of the people involved are still alive or people who were directly affected by the accidents are still alive? Doing an ethical analysis invariably leads one to make moral judgments. How dare I make a moral judgment about Willi

Unsoeld, for example, or any other of the other people I know about and the situations they encountered? One wants to learn from past experiences but common decency intervenes and forces one to be very hesitant about the effect of ethical analysis upon the memories of the dead and the sensibilities and welfare of the living.

I remember several years ago talking with a Vietnam veteran about his experiences as a young 2nd Lieutenant of infantry in combat in the Mekong Delta. The issue of casualties came up. I asked him how he handled it as a leader when someone would get killed or wounded. Thinking along the lines of E.M.T. training, I asked about critical incident stress debriefs while out in the field. It seemed reasonable to me that a leader would conduct such a debrief after a wounding or death. The guy looked at me like I was crazy. He informed me that the helicopter would land. The body would be thrown on board. The chopper would leave and the men would continue on with the mission. There would be nothing said about the death or casualty. He then quickly said that that was one of the chief reasons so many Vietnam veterans suffer years later from post traumatic stress disorder. Failure of the leaders to offer any sort of debriefing to survivors resulted in psychological harm being done. For those interested in this topic, I would refer them to a book by the psychiatrist Jonathan Shay, *Achilles in Vietnam*, for an in depth analysis of the consequences of the failure to take seriously the impact of death and injury on soldiers. In addition, our own Col. Bob Rheault of Hurricane Island Outward Bound School has played a leadership role in this area.

I think it is legitimate to analogize from the Vietnam experience to what I am discussing here. I think that death or injury while on our programs is a dirty little secret that we dare not talk about, especially the ethics of it all. It is interesting that once an accident occurs, one of the first things that people involved are told is **don't talk about it!** Often this advice is given by legal counsel concerned about potential law suits. I am going to make a move here that I think is important in discussing the "ethically acceptable accident" and that is to discuss the ethically **unacceptable** accident. I think the accident that is not discussed, not learned from, not held out as a case study for practitioners to examine, is an accident that is in its very nature unacceptable. Note that this is an after the fact argument. I am making the case that the aftermath of the accident is what makes it unacceptable, **even if it were to be found that the accident itself was ethically acceptable!** Dr. Shay argues that small unit leaders in the military have a moral duty to look after the psychological welfare of their soldiers, and I will argue here that we as outdoor educators have a similar duty to look openly and honestly at our accidents and share them with our professional peers.

There is a threefold concern here. First, and most important, is the impact of the accident upon the person

affected and its impact on his or her family, relatives, and others close to him or her. Second, is the impact of the accident upon the students, staff and administrators of the program involved. Third, is the impact of the accident upon the profession of wilderness education in general. A proper response to any given accident can be very helpful to all three areas.

This raises another issue that I consider to be an indicator of an ethically unacceptable accident. Very often wilderness educators operate in areas where they become very familiar with the terrain and other geographical and geological features. After one has led student groups up the north ridge of the Middle Sister mountain in the Cascades of Oregon five or six times or more, it becomes rather tedious to take another group up the same route. The same occurs with rivers, lakes, deserts and other venues. I have seen many instances over the years where instructors have elected to take students on riskier outings, not because of a solid educational goal but because the instructor is him or herself bored with the other, more predictable route and the students are placed in a riskier situation because of instructor boredom. Why is this unethical? Let me again analogize. Imagine for a moment that you are an airline pilot. You have thousands or hundreds of takeoffs and landings in the same airport. You decide that you are so bored that you need some novelty in your professional life. So, you order your co-pilot to shut off one of the four engines and land the plane. It seems intuitively obvious that were a commercial airline pilot to do this, he or she would lose his or her job immediately and for good reason. **The reason is this: the riskier landing added absolutely no benefit to the passengers and only served the needs of the pilot.**

### Telos and Risk

There is a concept in philosophy that I think is very helpful here. The ancient Greeks were fascinated about a concept called the **telos** of an organism. For Aristotle the telos of something is the end at which it aims. The telos of an acorn, for example, is to become an oak tree. Acorns do not become chipmunks or rabbits. If conditions are favorable, they become oak trees. According to Aristotle, every organism has a telos and its telos is intimately bound up with its **nature** in order that things become what they are meant to be. Another way to refer to a telos is that a telos is a **final cause** of something. The telos or final cause of medicine is health. The telos or final cause of education is knowledge. Getting back to the airline pilot example, the telos of airline travel is safe delivery to a destination. However, the telos of a fighter pilot for the military is very different from the telos of an airline pilot, even though they do many of the same activities.

In evaluating the ethically tolerable accident, I think it is essential to carefully examine the telos of the organization within which the accident occurred. It is common knowledge that pilots who fly high performance fighter jets are at risk by definition just by

flying these aircraft. An F-16 is more dangerous to fly than a 727. This is because the nature of the job demanded of the F-16 requires an aircraft that is capable of achieving the telos of a combat mission, and these crash more often than airline planes. One carries weapons. The other carries passengers. One plane is highly temperamental to fly and one is predictable. There are different missions, different planes, and different telos's. Therefore, the tolerability of risk differs between the two types of flying.

The same can be said of wilderness-based educational programs. The most basic question for program managers and instructors must be, "Why am I doing what I am doing" or "**What is my telos?**" The tolerability of risk will be largely ascertained by the answers given to this most basic question. Let me use a practical example here that may prove to be a bit controversial but I think it is helpful and largely accurate in my opinion. What is the ethically tolerable amount of risk in Outward Bound and at the National Outdoor Leadership School? One of the perennial questions I get asked in my professional work is, "What is the difference between Outward Bound and N.O.L.S.?" I think part of the answer lies in the acceptability of risk in the two organizations and that that answer is influenced heavily by two different teleologies.

For the sake of argument I am going to accept as a premise here that the teleology of Outward Bound is to teach certain character traits to participants. Usually Outward Bounders refer to the "Four Pillars" of Outward Bound. They are courage, physical fitness, compassion, and craftsmanship. Another premise I assume here is that the telos of the National Outdoor Leadership School is outdoor leadership. We have two different telos' operating.

An argument can be made that one can teach courage, compassion, physical fitness, and craftsmanship while at the same time minimizing danger and risk to participants. A quote from the current course catalog of the North Carolina Outward School is very revealing.

Safety is NCOBS's core value and our safety record is exemplary. Our systems, based on nearly 30 years experience, set industry standards and are modeled by other outdoor adventure programs. Instructors receive on-going professional development training in a host of safety procedures and wilderness emergency skills. Their ultimate concern is the physical and emotional safety of their students..... We strive to minimize actual risk, so perceived risk can be used as a catalyst for growth and self-discovery (1997 NCOBS Catalog, p.4)

It is clear from this quote that the goal of this Outward Bound school is to teach the character traits contained in their telos utilizing a wilderness setting but at the same time minimizing risk. In fact the position is taken that safety is the "ultimate concern" of instructors. On empirical grounds it seems to be the case that North

Carolina Outward Bound School in fact has been successful at teaching the character values it espouses while at the same time running courses that are only perceptually risky. In this scenario real risk is minimized, maybe even eliminated for all practical purposes. Therefore, it would be hard to ethically justify injecting risk- **real risk as opposed to merely perceptual risk**- into the programming of this school. Indeed, given the standards which are put forth in the catalog it could be argued that no accidents are ethically tolerable for this particular wilderness-based program.

Let's take a look at the National Outdoor Leadership School catalog for a very different perspective on the tolerability of risk in programming and its relationship to the telos of the organization. The National Outdoor Leadership School describes its telos as teaching **leadership and teamwork, environmental studies, outdoor skills, and safety & judgment**. In their statement about safety in their use of wilderness programming the school has this to say:

Wilderness activity involves hazards: rockfall, wild rivers, and freezing temperatures can pose a risk to even the most experienced outdoor leader. Activities ranging from simple day hikes to climbing glaciers can, due to error in judgment or the unpredictable forces of nature, become dangerous and potentially life threatening..... It is important you understand that there are risks. Some adventure programs say that they can guarantee your safety. NOLS does not. The risk of injury, even serious injury or death, is unavoidable in the outdoor environment in which we teach. (Source: 1999 NOLS Catalog)

It seems clear from reading this statement about safety and risk, that the National Outdoor Leadership School accepts and even advertises to potential students the fact that they will be exposed to **real and not perceived risk** while on a course. Given that the telos of NOLS is to teach leadership and teamwork, environmental studies, outdoor skills and safety & judgment, NOLS, as an institution, has concluded that it would be inconsistent with their telos to even attempt risk-free, merely perceived risk courses.

One would be hard put to find a more divergent view on the tolerability of risk between what North Carolina Outward Bound School says about risk and what NOLS says. Indeed, my analysis suggests that the Outward Bound school is, in fact, risk averse and NOLS is accepting of the reality and tolerability of risk, at least as suggested by the sources cited here. My point is not to make a moral judgment here about the positions taken by the different schools. It is simply to point out the fact of the connection between divergent teleologies and different tolerances of risk. It seems that Outward Bound has concluded that character development can be done with very little real risk involved and that the National Outdoor Leadership

School has concluded that its mission cannot be carried out with mere perceived risk.

This leads directly into the central issue of this paper. **Whether or not an accident is ethically tolerable must be examined within the context of the telos of the institution involved.** This does not mean that, willy nilly, one makes the absurd conclusion that absolutely no risk is acceptable while on an Outward Bound course (although one wonders given the wording of the catalog cited), or that students on NOLS courses will be lucky to come out of the course in one piece or even alive! It does mean, however, that instructors in the field who have the ultimate responsibility for making decisions about safety and risk had better be very clear in their own minds about the telos of the organization for which they work and had better make decisions with that telos in mind.

I mentioned above about the hypothetical instructor making a decision about taking a more risky route up a peak or mountain simply because he or she is bored with the standard route. Let's go with two scenarios here. First is the instructor who works for Outward Bound. He or she is there to teach the goals of Outward Bound and it has been determined through past experience that this route on this peak is a sufficient activity at this point in the course to accomplish at least part of the telos of Outward Bound. However, this instructor is bored with this route. He or she elects to do a more **inherently risky (real not perceived)** route. An accident happens on the climb. Is this an "ethically tolerable" accident? My answer would be that, absent mitigating circumstances, such an accident would not be ethically tolerable.

Suppose the instructor was a National Outdoor Leadership School instructor. It may well be that the standard route up the peak is a sufficiently difficult route with its attendant low risk in order to teach basic mountaineering leadership skills to a beginning NOLS student. Granted, this venue might not be enough for an advanced NOLS student. But if that route were sufficient for the teaching of basic mountaineering leadership and the NOLS instructor in his or her boredom were to take the riskier route with no justified gain to a basic student, then the NOLS instructor would have the same ethical burden that the OB instructor had. However, this is where a major divergence may take place between the two schools, both rooted in the different teleologies.

It is a fairly well established truth in mountaineering and technical rock climbing leadership that instructors must be able to lead at a higher level than the routes they lead students on. So, if a lead climber leads students on routes of, say, 5.5, then he or she should be capable of leading routes of 5.6-5.7 and so on. A strong argument can be made that since the telos of NOLS is leadership in the outdoors, that the school is obligated by virtue of its telos to impel its students into climbs of a more difficult grade than the standard routes which they might be leading at some point in the future. In other words, were an accident to happen to a NOLS student



who was pushing his or her limits in order to accomplish the telos of leadership, again absent mitigating circumstances, this might be an ethically tolerable accident within that institution.

### Hubris and the Acceptability of Risk

There is another term from the ancient Greeks that I think is useful in analyzing the tolerability of accidents in wilderness risk management. **Hubris** is a Greek word which refers to overbearing pride or presumption or arrogance in a person's character. As I look back over the multitude of accidents that I am familiar with, there is a common theme in many of them that relates directly to the concept of hubris. I was reading a book recently about the 1996 disaster on Mt. Everest and I was struck by the author's use of the phrase "the yak route" when referring to the South Col route up Everest. That phrase stopped me in my tracks. As I thought back to the climbers who first put in that route and the many people who have died or suffered on that route, I could only shake my head in bewilderment and astonishment that any climber could refer to **any** route up Everest as a "yak route." The same thing happens on other mountains, rivers, canyons, and other venues in wilderness settings. Trips and efforts that were historically challenging and even dangerous become trivialized and even are treated with contempt by certain people who have developed an attitude of arrogance and pride towards these settings. It is my position here that there is no such thing as a "safe" route up Mt. Rainier, for instance. The same thing holds for almost every wilderness environment in which we operate.

Hubris occurs when people begin to lose the respect they once had for the dangers and seriousness of wilderness areas, largely because of their past successes in these areas or because they have evolved personal skills that are higher than the skills needed on past endeavors. What was once personally challenging becomes routine, even boring. However, the potential for an accident is just as real on the 100th ascent as on the first ascent. Failure to recognize this fact on that 100th ascent can lead to hubris with its attendant potential for disaster. Once again, I am impressed by aircraft pilots and their institutionalized respect for what they do. They go through their preflight safety check lists, whether they have 100 hours or 10,000 hours experience. Pilots who neglect the basics are considered inherently dangerous in the flying world. I think the same holds for wilderness-based education.

The point is that when considering **the tolerability of a given accident, the question needs to be asked about hubris. Was this accident caused at least partially by an attitude to arrogance, undue pride, or presumptuousness on the part of the leaders?** If it was, then the accident becomes ethically problematic, even ethically intolerable. If a given venue caused someone to approach that venue with caution, care, even fear the first time it was done, then I suggest that the same humility before the venue should be exercised on the

100th use of that venue. Should a wilderness-based educator lose that respect, then it is arguable that he or she should not be leading students in that setting any more. Lack of respect towards that which at one time evoked respect (even fear) within a wilderness context, is a warning sign of approaching hubris.

This leads into a discussion of the issue of the cultural gap which often times exists between people who do wilderness programming for a living and those who come on courses. I have been struck over the years at the insularity of many professionals in wilderness education from the larger culture. Many professionals have embraced a "counter culture" lifestyle which is at extreme odds with the cultural norms embraced by the majority culture or by minority cultures within the larger American culture. For instance the acceptability of risk for outdoor educators may at times be at great variance with the levels of risk accepted by the students one encounters on courses. It has been my experience that a vast number of Americans do not have a clue about the potential risks inherent in wilderness activities. Evidence for this can be seen in something as seemingly minor as the kind of gear people wear in rainy weather, thinking it will be sufficient to prevent hypothermia after prolonged exposure to rain, wind, and cold. I think it is advisable for professionals in wilderness education to be very self-aware about this issue and how it might influence their decisions on the acceptability of risk in decision making. The greater the cultural, lifestyle gap between professionals and their students or clients, the greater the potentiality for placing people in risky situations that are inappropriate. It is very easy for those who do risky activities for a living to grant a level of ethical acceptability or tolerability to accidents that might not be even remotely shared by the broader public. I suggest a very **careful, ongoing, critical self reflection** on the part of wilderness educators in this area.

### An Ethically Tolerable Accident?

Since this paper is being done within the context of the 1998 Wilderness Risk Manager's Conference, I want to take my final pages to connect the history and telos of the Wilderness Risk Manager's Conference with the topic of this particular paper.

Since the mid to late 1980s, there began an ongoing discussion within the National Outdoor Leadership School about the broader issue of safety and risk management at the national level and encompassing programs other than just NOLS. I can recall participating in the end-of-season NOLS staff conferences in Lander in those years. Seminars were offered. Speakers came in from other programs. Intense discussions were held about wilderness programming, safety, risk management and a host of other topics. The concern of the NOLS leadership was that their staff would have an opportunity to learn from each other and from other professionals so that the professionalism of their staff would be enhanced, with the concomitant result of

better courses for their future students. There was also a desire from NOLS that there be more open discussion about risk within the profession of outdoor education.

On July 24, 1989, three NOLS students and one instructor attempted to climb Mt. Warren in the Wind River Range of Wyoming. During the ascent, the weather deteriorated and time was running out, so the instructor decided that prudence demanded abandonment of the summit bid. The decision was made to descend from the peak. As part of the descent, the instructor decided to lower the students over some steep rock to a snow couloir and then exit the mountain via the couloir and an adjoining glacier. The instructor was careful to make sure that once a student had been lowered, that there was sufficient space on the resting ledge for the student to move well out of the way of the fall line of the next, descending student, it being well accepted mountaineering practice to avoid standing beneath people rappelling or being lowered, due to the potentiality of the descending student dislodging a rock, which could injure the student below. One student, 24 year old David Black, was being lowered by an instructor as part of the descent technique. First he was lowered to the ledge with a large enough space to clear the fall line of the next, descending students. The second student was lowered without incident. Then a third student was headed down and he accidentally dislodged a rock the size of a small watermelon. The rock ricocheted off the wall and struck David Black's helmet, even though David was well out of the way of the natural fall line of the lower/ rappel system. David Black died from injuries received in this accident.

This is not the place to do an analysis of this accident. However, I want to show how this accident coincided with the establishment of the Wilderness Risk Manager's Conference in a way that I think makes ethical sense. A post accident investigation and analysis revealed that this accident was caused by a freak ricochet by the rock and that the instructor and students involved had operated well within the standards of prudent mountaineers with their level of experience and training for the activity they were engaged in.

However, that was not the end of the story. The family of David Black was in severe grief and sought to find meaning in their son's death. The NOLS community was also in grief and also sought meaning in this tragedy. What happened is that the combined sorrow and grief and both David Black's family and the NOLS organization came together in a creative and ethically

acceptable way. Rather than engage in blame and accusation and retribution for this event, both the family involved and NOLS sought to find mutually beneficial meaning and resolution stemming from the accident. David's parents wanted his death to help in producing something useful for the profession of wilderness education. They did not want him to have died in vain. I do not have the space here to go into the details but I can say that the prior efforts of NOLS to get a national dialogue going about risk management and the death of David Black coincided to produce The Wilderness Risk Manager's Committee and the first national Wilderness Risk Manager's Conference in 1994. Note that his death did not **cause** the development of the committee or the conference but it did help in overcoming any lingering inertia to getting the ball rolling.

Recall that I suggested in the opening of this paper that the ethically unacceptable, intolerable accident was one which is not discussed openly, not learned from, not used as a teaching vehicle for practitioners as they go about their professional lives in the future. Human beings by their very nature seek meaning out of life. Humans can stand great tragedy and great loss and great suffering. But we have a very low tolerance for loss of meaning, for meaninglessness. One of the hallmarks of the ethically tolerable accident, in my view, is the accident that helps in the development of meaning for people. The ethically tolerable accident will be one that is not caused by negligence or other questionable practices similar to the ones touched on in this paper. An accident that might be deemed tolerable is one that was not caused by negligence and from which great learning takes place, where people think about things they may not have thought about before, where the balance between risk and benefit is examined, where the continued welfare of our students is held as a sacred trust.

When we meet together as we are now and engage each other in dialogue, in argument, in the sharing of the latest research, and informal discussion, we are well on the way to creating meaning. As I think back about Willi Unsoeld and Devi Unsoeld and Brad Shaver and Scott Fischer and David Black and all the others who have died or been injured in wilderness accidents I realize we have a moral, ethical obligation to learn and to share our learning, drawing from their experiences and from our own. I think that the fact that we are all here facing these difficult issues openly and honestly together is at least a step in the right direction toward understanding the ethically tolerable accident.