

ALLOCATING RECREATION RESOURCES ETHICALLY
Rob Greenaway, 1998 NZRA Conference, Dunedin

Rob Greenaway
Rob Greenaway & Associates
PO Box 358
Nelson 7040, NZ
Ph/Fax 03 539 4335
rob@greenaway.co.nz

In this paper we will discuss concepts associated with a simple understanding of ethics. This is not a philosophical treatise, but an introduction to a few pragmatic tools that should be of use within your decision making exercises, when you are faced with the option of picking one of two propositions - where both propositions have merit. I'll conclude by proposing a model of consultation for resource allocation options that I believe has ethical merits.

A few of you might now expect me to introduce a discussion on cost benefit analysis (CBA). I won't - you will not get any CBA formula from this paper - and I'll tell you why. A while ago I teamed up with an economist and tendered for a cost benefit analysis project to help a local authority decide between two options for locating a facility. I'll be deliberately vague about the actual project. We lost the original tender, but did win a part of the project when the tendered economic evaluation had been completed. The original assessment covered travel cost differences, servicing costs and so on.

I work with several landscape architects and we were requested to complete an analysis of the costs of landscaping the alternative sites. We checked out the potential locations and worked out how much it would cost to fence, plant, pave and drain them. The entire project was projected to cost several million dollars to complete and the original cost benefit analysis had shown no significant difference between the options. We reported back and said that one site would cost about a few thousand dollars more than the other to landscape, which means there was really no difference. However, we received quite a few phone calls after we submitted our findings regarding the types of fencing we had considered, the opportunities to sell topsoil for one site and so on. It appeared that a pre-decision had been made about which was the better option and there was an attempt being made to see if the pre-decision could be proved (by balancing a few hundred dollars on a million dollar job). This to me was a little odd. There was something missing from the decision-making recipe, and that element was probably within the ability of individuals to openly make a decision in the face of two right options - even when comparing oranges with oranges - let alone when comparing libraries with sewage schemes.

A second piece of information cemented my concern. I'll quote from an article that appeared in the United Kingdom's Sunday Times on January 25 this year, which really makes me concerned - or more concerned - about economic fundamentalism. This is a report on the theories of Professor David Pearce, of the Centre for Social and Economic Research of the Global Environment, which is based in the University College of London's Department of Economics. He believes that only by attaching price tags to the environment can some kind of rational balance be brought to decision making, and I quote:

"Pearce, a former government advisor, is scathing about environmentalists. 'They are the people who got us into the mess we're in [he says]. If we had used the economic approach in the past, we wouldn't be in such a dismal state. It makes them feel good to be moral, but they don't stop to think that every moral decision has a cost. Their blinkered view hasn't saved the Amazon rainforest. Everything is up for grabs right now. There's nothing

sacred about our sites of special scientific interest, which are encroached upon every year.' There has always been a trade-off between winners and losers, he insists. 'So we say, let's measure people's preferences. Let's make it real for people by asking them how much they're willing to pay, and make them put their hand in their pocket to see if they really mean it.'"

I sincerely hope he's misquoted. Dr Pearce needs to watch more Monty Python movies. A willingness to pay exercise - in other words a CBA - could never solve the ozone hole problem. It will never save the southern blue fin tuna or the orange roughy. If they are to be saved, it will be done by the use of internationally agreed total allowable catch quota, based on scientific assessment and enforcement. If we'd done a CBA on the Chatham Island black robin, my bets are Old Blue would be in Te Papa. A CBA for Somalian children perhaps? That would tell us if we really meant it and perhaps get us out of the mess humanitarians have landed us in. The we can get on with CBAs on the rainforests on the island of Borneo, in the Solomons, PNG, Australia and central Africa. I only hope we can afford them all.

Drift netting will never be solved by CBA, especially when ordinary residents are expected to dig into their pockets whenever a new economic use - with (as is the norm) only short-term benefits - is discovered for some previously safe resource. I shudder when CBA is considered as an alternative for decent leadership based on a clear understanding of what represents long-term benefits and unsustainable resource use. If scientific, social and - dare I say it - economic evidence isn't enough to encourage a conservation-based decision, then a willingness to pay exercise is merely a joke and a means of passing the buck (from elected representative to voter). I doubt even that New Zealanders will carry out willingness to pay assessments for the protection of landscape values through compensation paid to private landowners in our rural areas.

A core problem with CBA is its premise of attempting to gain the greatest good for the greatest number of people. Actually, that's not a problem - it's a virtuous objective. I should say, the problem actually is: All people don't want the same thing. Also, the problem is: To complete a CBA you need a very clear idea of how many people, and who, will be helped or harmed, or support or oppose a proposal, and by how much. You can get close, but you'll never get it right - or at least you won't know you've got it right because you will never be able to test all options in reality, since you'd need a couple of parallel universes: one for testing each option. This is where Chaos Theory comes in.

And then there's the Monty Python factor: We are all generally too bogged down in our individual short-term crises to have a clear idea of what the long-term holds (and we don't wear enough hats)¹. However I accept the inevitability of CBA analysis in situations where oranges and oranges are the meat in the sandwich, so to speak. I just feel like we need something more, and it goes deeper than economic fundamentalism where test tube earth is the only experiment available.

So I started searching for information that would go beyond cost benefit analysis, or at least assist when CBA leaves an uncertain aftertaste, and to help me better understand the bases of fair decision making. Any such search will begin with Plato, Aristotle and Socrates, which makes for stifling dinner conversations. Fortunately I happened to have dinner with a person who used to run 'ethical fitness' seminars, and she put me onto a few books by Rushworth Kidder of the Institute for Global Ethics, and I've based some of my thinking on his texts. I'll come to Kidder shortly.

Many traditional resource allocation decisions are made - I believe - on what I call the Spice Girls basis. Any guesses how it goes? "Do you know wot I want, wot I really, really want?" And then we convince others and raise the funds.

¹ The last scene in *The Meaning of Life*.

Part VIIA of the Local Government Act 1974 has potentially put paid to this, requiring cost benefit analyses to be completed to assist with significant financial decisions². These CBA will always result in a dilemma - that is, will we get a better return if we spend the money on something else - even if we don't have alternatives in mind? So, all these decisions are generally right versus right decisions - that is, dilemmas. For example, building a swimming pool and redeveloping a sewage plant are both, generally, good things. I should say, operating those assets at high levels of service are good things, but what level of service is appropriate? How should you organise your thoughts so you are ready to make a right versus right decision?

First though, what is ethics? Let's start with some published ethical standards. See if you can guess to whom these selections belong. Don't say anything, just put your hand up if you know where they come from.

"To show my faith in the worthiness of my vocation by industrious application to the end that I may merit a reputation for quality of service.

To seek success and demand all fair remuneration of profit as my just due, but to accept no profit or success at the price of my own self respect lost because of unfair advantage taken or because of questionable acts on my part.

Whenever a doubt arises to the right or ethics of my position or action towards my fellow men, to resolve such doubt against myself."

Any guesses? Try this:

"Members shall exercise their professional and technical skill and judgement to the best of their ability and shall discharge their professional skill and responsibility with integrity.

Members shall not make comparison with, or statements about, other members that are not based on fact.

Members shall not disclose any confidential information or matter related to their work or the business of their client, without the express authority of their employer or client."

The former one is the Lions service association's Code of Ethics, the latter is that of the NZ Recreation Association, and naturally you all know it by heart.

In my mind the latter is not an ethical code, it is more a code of conduct. Consider the Northern Arizona University's suggestion in their Leisure Ethics paper that 'ethics' is the exercise (observable behaviour) of an individual's values. 'Values' is an individual's principles and beliefs which are learned and become generally consistent. Ethics are - through that definition - represented by conduct, and values therefore guide conduct. It makes sense, but to have a real code of ethics we'd need to define personal values. So, logically, it's much easier to develop conduct-based codes of ethics - since it negates worrying about those tricky things called values. But, or course, values are actually where the issues lie.

² "122C. Principles of financial management--

(1) Without limiting the provisions of any other enactment relating to the funds and revenues of any local authority, every local authority shall manage its revenues, expenses, assets, liabilities, investments, and financial dealings generally, in accordance with the following principles: ...

(c) The benefits and costs of different options are to be assessed in determining any long-term financial strategy, funding policy, investment policy, or borrowing management policy, and in making any decision with significant financial consequences (including a decision to take no action):"

'Conduct based' ethical codes are like a particular approach to developing artificial intelligence in computers, as used by a company in Austin, Texas called Cycorp Inc³. To teach their machine - called Cyc - to think, they are encoding a vast amount of question and answer type data into it and assuming that once they've inputted sufficient information the computer will start asking its own questions. In this case they use descriptives: you get wet when you sweat, etc. As at March 1996, Cyc had absorbed 170 person years of inputted data. However, with this 'bottom up' approach, you can't teach values - instead you just get a very good search engine.

The ethics I like to think of focuses on the alternative method of developing artificial intelligence - which is based on a 'top down' approach. This is what a team at the Massachusetts Institute of Technology are attempting with their computer called Cog. The idea is: there is only the need to come up with some very simple rules that will guide the computer's future learning experiences and then let it get on with teaching itself, with some occasional guidance. Which is pretty much how we develop.

If you look at the Lions' code of ethics, it speaks of values and does not heavily pre-define conduct. It is quite 'top down' in computer-speak. The code is merely a collection of ethically sound reference points that are relevant to the activities of the service organisation. Remember, especially, that line: "Whenever a doubt arises to the right or ethics of my position or action towards my fellow men, to resolve such doubt against myself."

This is more compliant with the definition of ethics preferred by Lawrence Hinman of the University of San Diego: "Ethics are the explicit, philosophical reflection on moral beliefs and practices."

The Lions' code of ethics will endure and are transferable, since they prescribe some basic tools and leave the rest up to us.

So what are some tools might assist us to act ethically? We're not going to discuss what is right and wrong - or what is morally correct -, but what is more right than what is also right. If the boundary between right and wrong changes so much over time (capital punishment and euthanasia, for example), you could imagine that the boundary between right and right is even more blurred - although I don't think it is. What I'm keen on examining is the use of ethical frameworks in situations where you must decide between two good choices - in this case, allocating resources between recreation developments and activities.

Back to rules and tools. According to Rushworth Kidder, founder of the Institute for Global Ethics, and author of the book *How good people make tough choices*, ethical dilemmas generally fall into one or more of four categories. Kidders' categories assume that if you are faced with a right versus right decision, you can consider what type of dilemma you face, then reach for your tool kit to see if you can find a resolution that works. First the dilemmas and then the tools.

The first dilemma is: **Individual versus community**. This is a basic understanding that the rights or benefits to an individual may be compromised for the good of the greater community, or vice versa. The first example that springs to mind is the location of sex offender units in or near a community. We all know they've got to go somewhere but none of us wants one in our back yard. It is right to honour the needs of the individual and it is right to look after the wider community. If we pursued our friend Dr Pearce, he'd probably suggest doing a willingness to pay assessment for not having such a unit nearby.

The second dilemma is: **Truth versus loyalty**. In the public service this one must arise time and time again. How many of you have known some information that is significant

³ Dibble, J. *The race to build intelligent machines*, in Edwards, K (editor) Time Magazine (South Pacific edition), April 1, 1996.

and which would have an impact upon the lives of some individuals, but have retained that information due to some loyalty factor to the organisation or to an individual? Have you been swayed by the need to tell the truth - which is a good thing - or the need to remain loyal to some cause or individual, which is also a good thing. Bill Clinton must have thought he was being very loyal to Monica.

The third dilemma is: **Short-term versus long-term**. Again, in the public service this is a classic. A CBA specialist would immediately start talking about Net Present Values, and such an analysis would be relevant here. The concept is based on the opportunity to gain benefit now from some resource use, or to compromise current benefit for potential gains in the future. In my mind this is a big one when it comes to open space strategies. Do you spend money on trees that will take 30 years to be of real value, or do you pop the money into another cricket wicket that will be of benefit tomorrow? We are, sadly, mostly short-term thinkers - and seldom realise that the long-term always includes the short.

The last dilemma is: **Justice versus mercy**. In a situation where someone has done wrong, should you follow some widely accepted rule book and deliver the prescribed justice, or should you consider an individual's situation and reach an appropriate compromise? Should you risk being considered authoritarian and inflexible, or risk being considered soft and inconsistent? Being merciful - considering the personal factors that may have contributed to the wrong doing - is good. Measuring out society's sanctioned level of justice is also good. For example, why do taggers tag? That question is probably irrelevant to many. Tagging annoys the hell out of us and we'd like to see the little criminals lined up and shot. But there's more to it. So what do we do when we catch one? Mete out justice, or be merciful. Which action is most likely to solve the problem?

Apparently a few deep and academic thinkers on ethics dislike these scenarios, because they are too simplistic and accessible. They can take it or leave it. They have proved very useful to me.

If this was an ethical fitness course we'd open into a forum setting and discuss personal experiences where a dilemma has been faced, and we would examine how each fitted within each scenario. It would be fun and instructive. These courses aren't currently available in New Zealand and we have limited time, so I'll bowl right along into the tool kit offered by Kidder.

He suggests that the following three tools - or paradigms - will assist in resolving a dilemma. We have hopefully identified what type of dilemma we face, now we want to use a framework to reach a conclusion. Kidder and his team came up with the dilemma typology that we've already covered, but these following tools have some heavy heritage.

The first is the **Utilitarian principle**: This is what most of our legislation is based on: gaining the greatest good for the greatest number of people. Think of that tagger. The dilemma may be *community versus individual* - will we compromise the freedom of the individual for the good of the community? It is also *justice versus mercy*. Will we be merciful or will we mete out justice? What options will secure the greatest good for the greatest number of people? The problem with this tool is that you need to know what will happen in the end - what will the consequences of your actions be? For this reason Kidder uses the descriptive 'ends-based thinking' - that is, you need to understand the final consequence of your actions to make a decision. This is what CBA tries to achieve.

The second is **Rules-based thinking**: Apparently Immanuel Kant thought you could never know the ultimate consequences of your actions, and so he concluded that Utilitarianism was a bit naïve. The alternative he saw was to stick to your principles - or the rules - and let the end look after itself. This is what a bureaucracy does. It sets up rules to simplify, streamline and make consistent decision making, assuming that if the rules are good

enough, and everyone follows them, then the greatest good will prevail. That tagger has no hope.

I once had the job of closing the access road to the Whakapapa skifield for 20 minutes during the start of the Mountains to Sea multisport event. I have never received so much abuse for anything else I've ever done. All those skiers with their \$50 lift passes and only one day to use them. I wish I'd read up on Kant earlier and would then have been able to reply to the abuse: 'Look, I'm feeling particularly Kantian today and the rules are the rules,' instead of trying to offer the reasoning that hitting runners with a Pajero is a bad thing.

If you are employed by an organisation you will probably be operating under both of those concepts (rule and end-based thinking), and you'll be aware that the rules are being constantly tinkered with as committees decide to what degree the rights of individuals should be compromised for their or the community's greater good, and what that 'good' actually is. You do this when setting programmes for the use of all recreation resources - allocating schedules for swimming pools, deciding the funding criteria for community grants, deciding what level of service is appropriate for grass height in the local park. You are forever setting rules, probably with only a vague idea of what the 'end' might look like. You will be painfully aware that you are constantly running into short-term versus long-term dilemmas, and community versus individual dilemmas, and occasionally truth versus loyalty, and justice versus mercy dilemmas. You will be able to deal with the latter two dilemmas if you better understand why the rules exist and have sufficient autonomy to bend them.

A little example on autonomy. Two friends were recently travelling in the States, and were stocking up on food for a mountain biking trip. They visited an organic supermarket - a large American chain - and were seeking tomato paste. You'll know how in foreign countries all our pre-existing brand loyalties go out the window. They selected a packet of what was labelled tomato sauce, which could have been either paste or ketchup, so they asked a shelf packer what it was. He said, it's paste, then took out his black felt pen and scribbled out the bar code and wrote 'Free' across the package, saying something like, 'If you haven't tried it before, you should take it on a test drive first.' I would love to see the supermarket's training manual, since that level of apparent autonomy must be based on either tight or loose codes of conduct. Are the staff allowed to palm off no more than two items per day if their individual cost is less than \$2.00 per item - which is very Kantian in a top down sort of way - or are they encouraged to make their own decisions based on their understanding of how to secure maximum benefits for the company, requiring a Kantian approach from the bottom up?

The last tool I'll mention is probably the most familiar. It's based on the **Golden Rule**: Do unto others as you would have them to do unto you. Kidder calls this Care-based thinking, and it requires you put yourself in the shoes of the other party. Apparently this action is a little too unpredictable to be in favour with many philosophers, but since it's probably the most widely understood means of gaining sympathy for another's plight, it cannot be ignored.

In this case the tagger might just get a good dressing down, or be offered a month's free entry to the local gym.

So how do these tools help in making a resource allocation decision if legislation is requesting that a cost benefit analysis be carried out when making funding decisions. Let's face it, we'll find it hard to ever move away from a utilitarian approach when it comes to spending public money, and - seriously - we wouldn't take a local authority very seriously if it consistently valued the individual over the community. I'll turn to medical ethical dilemmas for a minute to offer hope.

You'll understand that there is much discussion about the sharing of resources in medical care. It's a matter of economics - allocating limited resources efficiently and fairly. One dialysis equals how many hip replacements? Therefore at what point do we restrict dialysis so we can do a few hips, to secure the greater good?

I little story to show how complicated it is. A health worker recounted the following scenario to me a while back. According to her, health care administrators, at the business end of the game, prefer allocating resources using cost benefit analyses - aiming at gaining the greatest good from limited resources. Very utilitarian. Doctors appeared to prefer allocating resources to those activities which pushed the bounds of what was possible in health care. Quite Kantian, with little 'ends-based' thought required. Nurses, on the other hand, and at the front line, would allocate resources, if they could, on a care-based approach, considering the individual needs of the patients. A mother of three, for example, is more important than a drunk youth.

Back to theory. A conference titled *Resource Allocation: Ethical dilemmas and challenges* was held in 1992 in British Columbia. At that conference a bioethicist and philosophy professor from Oregon State University, Dr Abbyann Lynch, discussed two approaches individuals might take to securing resources for their own benefit - in this case medical resources. The first was 'rights-based'. That is, it is my right to secure a fair share of certain resources, and this is independent of my relative need for those resources.

Dr Lynch described an alternative and called it 'neighbourliness'. This is based on a higher level of thinking, requiring an understanding amongst resource users of the needs of their neighbours. Basically, Dr Lynch suggested that for any efficiencies to be gained, and resources allocated fairly, all users of a resource must be aware that they are but one of many.

Ants do this. Ecologically speaking, the survival of the individual doesn't matter, only the survival of the community. This may be one key reason why there are more ants than us. Neighbourliness seems much harder for people. Interestingly, I have discussed this issue with a few people who do a lot of consultation and it appears that there is a boy-girl thing involved here. Men find the 'neighbourliness' approach a little tricky. Not so women.

I agree with Dr Lynch. Empathy is important if resource allocation processes are to be relatively easy. And it is up to those who allocate resources to try to ensure that all parties emphasise with other parties. I will share with you a tool that might help with this. It's based on the concept that all resource users should realise that the pool of money available to anyone is finite. Any use of that pool limits the opportunities of others.

You could be forgiven for assuming that 'neighbourliness' can be as effective in allocating resources as a willingness to pay assessment could be in getting us out of the mess environmentalists have made. However, I adhere to the 'think globally, act locally' aphorism. We are better at allocating resources when the effects are local, and we should be able to be neighbourly at that level. We are not, individually, very good at allocating resources internationally to secure the greatest long-term benefits for this planet.

Any proposal to allocate resources will probably end up with the outcome that the greatest number of people will benefit, as it should - so we're back at square one, as with CBA. The trick is to assure ourselves that we have internalised an understanding of long-term benefits, and ensured that all parties come out of the process feeling 'neighbourly'. That to me is ethical since it attempts to avoid the isolated presentation of a cold, hard CBA. CBA might give the right answer, but, as my first example showed, if it ain't the answer that is wanted, and no individual cognitive decision making process has been followed to secure agreement, no one will be happy.

I should warn you that the process I propose is, in essence, a willingness to pay assessment, which I complained about earlier. But, the reality of the situation is that it is real money that is being analysed - that is, money that we are accustomed to paying - that is, rates, or local taxes. This is money that will be spent locally on both short and long-term projects. It is money that we generally understand. It is not a willingness to pay assessment on an ozone hole or a rainforest. I believe it attempts to overcome the Monty Python factor.

(The remainder of the paper is based on a computer-based model of resource allocation, encouraging users to share resources from a finite pool amongst expenditure options. The size of the funding pool may be increased, but at the cost of increased rates).