

THE RELATIONSHIP BETWEEN WORK ENVIRONMENT AND MORAL SENSITIVITY

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Abstract

Visual identification is the most used identification method in forensic medicine in Romania. It is a nonscientific method and therefore less reliable and accurate. The question posed in this article is whether it is possible to make visual identification more reliable, by introducing the concept of “moral sensitivity” from bioethics into forensic medicine.

Key words: visual identification, moral sensitivity, forensic pathologists, social intelligence.

INTRODUCTION

Moral sensitivity is the ability to identify an ethical problem and to understand the ethical consequences of the decisions made. More specifically, it involves building a trusting relationship with the patient and responding to his or her perceived needs, establishing moral meaning for decisions made, expressing a moral motivation to act in the best interest of the patient.

A morally sensitive person draws on many aspects skills, techniques, include taking the perspective of others, cultivating empathy for a sense of connection to others, interpreting a situation based on imagining what might happen and who might be affected. Ethical sensitivity is closely related to social intelligence, which can be defined as the ability to get along well with others and get them to cooperate with you (Albrecht, 2006; Goleman, 2006).

The visual identification is the most common worldwide used non-scientific presumptive identification method of dead bodies. It is cheap, easily performed, needing less time than many other methods and it is used when no scientific identification methods are available or just as a step in the identification process. It is considered to be a very good method when the dead bodies are recent and intact and there are people or relatives familiar with the deceased, being able to identify them. Unfortunately this method has its limits; even though the body is intact, the changes of the appearance of the face can be so altered due to the death itself that it is difficult for the familiar person to identify it. In other cases it is very difficult or even impossible to apply visual identification, for instance when

the body has been burned, the only parts remaining being the charred ones, or in explosions, severe decompositions, severe injuries, animal depredation responsible for feature changes of the body, post mortem mutilations/dismemberment, mass disasters such as air crashes and earthquakes, or when there are whole families eradicated and there is no one to identify the dead body (Abdou, Redman, 2015).

Questionable and unreliable method-arguments

There are three arguments based on scientific reasoning making visual identification a questionable and unreliable method. Firstly, the external conditions for visibility may be poor; i.e. low light, poor weather, e.g. fog, haze, rain etc. Secondly, several research studies reports have thoroughly shown that humans in general have poor abilities in identification, even if the visibility conditions have been proved to be adequate. Thirdly, and not the least important, the procedures which are used to make the identification process have been biased many times in the past, especially in crimes (Radu, 2015).

Relatives have mistakenly given a positive identification due to the fact that the authorities had told them that the dead body was supposed to be their own, or kin have identified their beloved members with their eyes being shut because of the distress and shock. There have been occasions when the family members denied accepting that their beloved were dead and therefore in that state of psychological denial, they gave a negative identification. Other factors that can make the visual identification quite hazardous are, for instance the situation when a dead body has been heavily disfigured or decomposed. Since visual identification is not considered to be a positive identification method it should always be confirmed by scientific identification methods (Dahlqvist, 2008).

The concept of “moral sensitivity” in forensic medicine

As we have mentioned above, the method of visual identification is one that raises many problems. Still though, it is the most used identification method worldwide. Despite the fact that many new and high-sophisticated techniques have been introduced, its advantages of being cost-effective, easily performed and often correct, will continue to make it a widely practiced method in forensic identification. Even though visual identification is not regarded as a scientific identification method and it is generally not allowed to be used in court as a testimony, interestingly enough, the medico-legal systems throughout the world are dealing differently with the importance of visual identification (Jung-Eun et al, 2008). Some of these jurisdictions require the closest blood relative or relative to actually be present and visually identify the deceased, others

require a photograph of the deceased as a part of visual identification and several jurisdictions allow visual identification by familiar persons only after a rapid scientific identification. A visual identification is very often asked after a scientific identification had been performed, by the family members in order to “be sure” that their beloved is the deceased one.

We have to take into consideration that many forensic offices do not owe any appropriate financial resources to acquire or maintain adequate technology equipment and logistics in order to perform a scientific identification. In deaths which have occurred in remote places and no equipment was available, the visual identification may be the only possible identification method.

Can visual identification turn into a more reliable and more accurate method?

Visual identification, will never meet the criteria of a scientific method or reach those standards of uniqueness, accuracy and preciseness that the other methods claim to have. But if we focus on the main component in visual identification which is the nearest environment of the dead person, e.g. family members, friends, colleagues, and see how we can approach them in relation to ourselves and to the deceased we may come closer to the answer of the question above (Wyss et al, 2011).

In this context we would like to make a philosophical-psychological approach and introduce the concept of “moral sensitivity” (Abdou, 2008) in the discussion of visual identification. It is a term taken from bioethics and is a new field of interest among professionals in the health care system. Lutzen K. gives a very good explanation by introducing the word sensitivity in relation to the welfare and right of others, especially when they come into conflict with one’s own interests. Moral sensitivity should be seen as a process of reflection on the consequences of one’s own acts towards the others.

According to Muriel Bebeau and her colleagues (1999), moral sensitivity “...is the awareness of how our actions affect other people. It involves being aware of the different possible lines of action and how each line of action could affect the parties involved (including oneself). Moral sensitivity involves imaginatively constructing possible scenarios (often from limited cues and partial information), knowing cause-consequent chains of events in the real world, and having empathy and role-taking skills. Moral sensitivity is necessary to become aware that a moral issue is involved in a situation”.

The “moral sensitivity” is not only the ability to identify an ethical problem by the process of reasoning and understanding the moral consequences of the ethical code that dictated that particular decision, but even to distinguish what is right or wrong in a “normative” perspective.

“Moral sensitivity” is also a process of being able to raise the ethical norms above “reason” and put them on “*a human inter-relational cross-boundary level*” and to leave open for an intuitive approach to what is good for the others.

What is visual identification, besides being a moment during which the family members recognize and identify the deceased?

It is a meeting point, between the deceased, the family members and the forensic officer. The meeting point is on the level of *a human inter-relational cross-boundary* between *three individuals* in the domain of life and death. It is a moment when the deceased has the right to be identified and treated with respect and dignity. It is an emotional and cognitive process during which the family members meet themselves in a moment of extreme emotional stress with conflicting feelings, goals, desires and expectations. It is a moment when the forensic examiner has to balance between being professional i.e. following rules and protocols and at the same time showing respect to the integrity and dignity of the dead as well as preparing the family members for the recognition. It requires more than reason from the forensic examiner-he/she has to be willing to step out of himself/herself and meet the involved people in the current situation by acting balanced and calm, giving them the feeling that this moment is theirs, being compassionate and understanding, showing empathy and patience. It sounds like an utopia at first, but we firmly believe it is possible, if the forensic examiners decide to invite themselves to reach a communication on an inter-human level where ethical and moral codes can find an intuitive point of expression; it is a dynamic moment when the meeting point between life and death is completed and the three components: the dead, the forensic examiner and the close members of the dead have reached an optimal level of interaction.

CONCLUSIONS

The purpose of this paper is to introduce the concept of “moral sensitivity” in Forensic Medicine. “Moral sensitivity” is the sensitivity to the welfare and the rights of others (Dahlqvist, 2008) especially when these rights come into conflict with one’s own interests. It is a dynamic concept including the reflection about the consequences of one’s own acts towards the others; it is a meeting point of a triangular interaction between the rights and the dignity of the dead, the emotional state of the family member and the professionalism and human qualities of the forensic pathologist. It is the point when identification is completed.

Identification means recognition, recognition means memories, memories mean individualization. Individualization is the purpose of identification.

The concept of “moral sensitivity” should be introduced in forensic medicine in Romania since, due to the lack of financial resources for expensive scientific identification methods, visual identification is the most widely used in this country. It is worth mentioning that the visual form of identification, which is by definition not scientific, is also the most interpersonal one (Well, 2011). It is an open field for non-scientific approach of ideas, such as moral sensitivity.

In order to introduce “moral sensitivity” in forensic medicine it has to be accepted by the professional staff. We, as forensic pathologists, are working strictly according to the law and protocols (Wyss, 2003). Our behavior and actions are also dictated by an accepted moral code of what is right or wrong. Therefore we have to evaluate and discuss this new concept and approach it from different angles. Educational forums and workshops could be held by specialists in bioethics, which could present their ideas and discuss them with the forensic staff, including pathologists, nurses and physicians.

We firmly believe that moral sensitivity can in practice improve and give new perspectives to visual identification, by the action of the three components of the triangle mentioned above.

- *Dead person*: requires respect and dignity for his or her integrity, as it is his/her human right
- *Relatives*: require respect for the emotional stress he/she experiencing and time and space to face the situation
- *Forensic pathologists*: besides doing a professional job, forensic pathologists have a very important task; to meet these requirements and to deal with them.

Our conviction is that many mistakes in visual identification could be avoided, thus making visual identification better.

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