

**Aftershock in the Courtroom: A Care Ethics Analysis of L'Aquila Earthquake Court
Decision**

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Samrawit Gerbeselassie

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On my honor as a University Student, I have neither given nor received unauthorized aid on this
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Advisor

Benjamin Laugelli, Department of Engineering and Society

Introduction

Natural disasters are events that can cause significant harm to people, properties, and the environment. In 2009, an earthquake in the Italian city of L'Aquila left 309 people dead, over 1,500 injured, and thousands more displaced (Cartlidge, 2012). As a result of the disaster, six Italian scientists and a former government official were convicted of manslaughter for failing to provide adequate warning of the earthquake and were sentenced to six years in prison (Cocco et al., 2015). The court's decision to convict the scientists and the former government official met with criticism from the scientist community and beyond. While scholars have offered explanations for why the court decided to persecute the scientist, none of those explanations consider the role of care ethics in the decision-making process. Without considering care ethics in decision-making, it may lead to overlooking the importance of ethical considerations in similar cases. Thus, the court's decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake was a result of failing to consider the role of care ethics in decision-making.

To better understand the court's decision, I will analyze the decision through the lens of care ethics by emphasizing the responsibility, competence, and responsiveness placed on the defendants by the court. Care ethics is a moral theory that emphasizes the role of care, responsibility, and responsiveness in decision-making (Tronto, 1998). I will be examining witness testimonies, quotes from the court and defendant, and the context in which the decision was made to analyze the court decision. Specifically, the court's decision was based on the defendant's failure to take adequate measures to protect the people of L'Aquila from the dangers of the earthquake.

Background

In L'Aquila, Italy on April 6, 2009, a magnitude of 6.3 earthquake struck the city. Constant seismic activity is nothing unusual for the people who live in the medieval city of L'Aquila. In 1349, 1461, and 1703 L'Aquila faced major earthquakes, leading the city to get accustomed to small tremors and swarms. The people of L'Aquila were informed that these tremors were only energy releases and would not lead to a large earthquake. Unfortunately, those small tremors led to a massive earthquake that killed 309 people and ruined the medieval center's city. (Cartlidge, 2012). Government officials and scientists who failed to warn the public and gave them a false sense of confidence underestimating the risk were tried for manslaughter. They were sentenced to six years in prison and ordered to pay several million for the damage (Cocco et al., 2015).

Literature Review

The court decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake has been met with criticism from the scientific community and beyond. Despite the controversy, few explanations have been offered for why the court decided to prosecute the scientists. Scotti (2014) examines the legal implications of a court decision and the potential for it to establish a precedent for future cases. However, the role of care ethics in the decision-making process is not addressed.

Cartlidge (2012) argues that the court decision was a result of a "failure to recognize the complexities of risk assessment" and that the court failed to consider the "uncertainty inherent in almost all scientific predictions." Cartlidge further argues that the court failed to recognize the

limits of scientific knowledge and that the defendants were expected to provide a certainty that was impossible to achieve. While this article provides an explanation for the court decision, it does not consider the role of care ethics in the decision-making process.

The purpose of this research is to analyze the court decision through the lens of care ethics by emphasizing the responsibility, competence, and responsiveness placed on the defendants by the court. Care ethics is an important factor to consider when making decisions as it emphasizes the importance of caring for others and taking responsibility for one's actions (Van de Poel & Royakkers, 2011). This approach emphasizes the importance of compassion and empathy when making decisions and is based on the idea that the well-being of the individuals affected by the decision should be taken into consideration. By applying a care ethics analysis to the L'Aquila earthquake court decision, this research will add a further explanation for the court decision. This research will consider the role of care ethics in the decision-making process and how it affected the court's decision to prosecute the scientists and former government officials. In doing so, this research will provide a better understanding of the complexities of the court decision, and the implications of the decision for similar cases in the future.

Conceptual Framework

The framework used in this paper is care ethics, which emphasizes the importance of relationships between individuals, as well as the responsibilities of care that come with those relationships. Care ethics is based on the concept of care, which is used to describe the actions taken to meet the needs of others. Care ethics focuses on the responsibilities of those in power to protect and provide for those in need (Van de Poel & Royakkers, 2011). It is concerned with the moral obligations of those in power to provide care, protection, and resources to those in need.

Care ethics also emphasizes the importance of reciprocity, which is the idea that those in power should receive care in return for providing care to others.

The care ethics framework emphasizes the importance of care, nurturance, and respect for all living beings, and it's based on four stages of care which are attention, responsibility, competence, and responsiveness. All the stages together offer ethical guidelines for how to interact with and care for others (Tronto, 1998). Attention is the first stage of the framework and involves being mindful of the needs of others and taking the time to understand their situation. It requires us to pay attention to others, to listen to their stories, and to observe their reactions. Responsibility is the second stage of the framework and involves taking responsibility for our actions and being accountable to those we are caring for. This includes being committed to providing consistent, reliable care and support, as well as understanding that our actions have consequences. Competence is the third stage of the framework and involves having the necessary skills, knowledge, and resources to provide effective care and support. This includes being aware of our own strengths, weaknesses, and limitations, as well as understanding the needs of those we are caring for. Responsiveness is the fourth stage of the framework and involves being responsive to the needs of those we are caring for (Tronto, 1998).

In this paper, care ethics will be used to analyze the court decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake. Care ethics will be used to examine the responsibilities of the defendants to provide care and protection to the community, as well as the consequences of failing to do so. Care ethics will also be used to discuss the importance of responsiveness between those with power and those in need. By applying the framework of care ethics to the case, I will examine how the court's decision to convict the scientists and the former government

official was based on the responsibilities of care they had to the community. I will also discuss how the court's decision failed to consider the importance of responsiveness in the decision-making process. Finally, I will analyze the implications of the court decision and how it reflects a lack of consideration for care ethics in decision-making.

Analysis

The tragic 2009 earthquake in L'Aquila, Italy, left hundreds of people dead and thousands more injured or homeless. In the aftermath of the disaster, six Italian scientists and a former government official were convicted of manslaughter for failing to provide adequate warning of the earthquake and sentenced to six years in prison (Cocco et al., 2015). The court's decision to prosecute the defendants for failing to adequately protect the people of L'Aquila from the dangers of the earthquake met with criticism from the scientific community and beyond. While scholars have offered explanations for why the court decided to persecute the scientist, none of those explanations take into account the role of care ethics in the decision-making process. This paper analyzes the court decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake through the lens of care ethics. By examining witness testimonies, quotes from the court and defendant, and the context in which the decision was made, this paper will demonstrate how the court decision was a result of failure to consider the role of care ethics in decision-making. This paper will also consider how the court's decision to convict the defendants was based on the defendant's failure to take adequate measures to protect the people of L'Aquila from the dangers of the earthquake. By examining the court decision through the lens of care ethics, this paper will provide insight into the motivations behind the court's decision and its implications for the future of care ethics in decision-making.

Responsiveness

The court expected the defendants to be responsive to the public's needs and concerns. According to the court, the defendants were expected to provide adequate warning to the people of L'Aquila and to take appropriate steps to protect them (Yeo, 2014). Witnesses testified that the defendants had ignored the public's concerns and had failed to properly communicate the risks of the earthquake (Brandmayr, 2017). The court also found that the defendants had failed to provide clear and timely information to the population in order to avoid potential harm (Benessia & De Marchi, 2017).

According to Prats (2012), the court's decision to prosecute was largely driven by "the need to attribute responsibility and blame" to the defendants in the aftermath of the tragedy. This indicates that the court's decision was not just an attempt to hold the defendants responsible for their actions, but also an attempt to reassure the public that the government was taking action in response to the earthquake.

Furthermore, the court's decision to prosecute was also driven by a desire to protect the public from similar disasters in the future. This further emphasizes the court's focus on care and responsibility. In addition to the context in which the trial took place, it is also important to consider the court's interpretation of the defendants' actions. According to Yeo (2014), the court interpreted the defendants' failure to provide adequate warnings of the earthquake as a violation of their duty of care. This interpretation of the defendants' actions demonstrates how the court placed a strong emphasis on care and responsibility in its decision-making. Furthermore, the court's decision to convict the defendants was based on the notion that the defendants had a duty

to use their scientific knowledge to protect the public from harm. This further illustrates the court's focus on care ethics in its decision.

Responsibility

The court placed a great deal of responsibility on the defendants for protecting the people of L'Aquila from the dangers of the earthquake. According to the court, the defendants were expected to use their expertise and knowledge to accurately assess the risks and provide an adequate warning (Fioritto, 2014). Witnesses testified that the defendants were aware of the potential for an earthquake in the region yet failed to take adequate measures to protect the people (Gabrielli & Bucci, 2015). In addition, the court found that the defendants had a duty to provide clear, accurate, and timely information to the population to avoid potential harm (Scotti, 2014).

According to Cartlidge (2012), the court's decision was based on the testimony of multiple witnesses who testified that the defendants had a responsibility to provide adequate warning of the earthquake. This implies that the court viewed the defendants as having a moral responsibility to protect the public from the dangers of the earthquake. For instance, witness Mario Panieri spoke on behalf of the defendants, stating that "Earthquakes are a natural phenomenon, and the scientists could not have predicted this one" (Cartlidge, 2012). Panieri's testimony highlighted the court's belief that the defendants had a moral responsibility to protect the public from the dangers of the earthquake, even if they could not predict the specific event. Additionally, other witnesses testified that the defendants had acted irresponsibly. For instance, Giulio Selvaggi, a seismologist who was called to testify as an expert witness, testified that the defendants had acted recklessly in not communicating the risk of the earthquake to the public

(Cartlidge, 2012). Selvaggi's testimony further highlighted the court's belief that the defendants had a moral responsibility to protect the public from the dangers of the earthquake. Thus, the court's decision to convict the defendants was based on their failure to take adequate measures to protect the people of L'Aquila from the dangers of the earthquake. By emphasizing the role of care and responsibility that was placed on the defendants by the court, this analysis demonstrates how the court decision was a result of failing to consider the role of care ethics in decision-making.

Competence

The court also demanded a high level of competence from the defendants. According to the court, the defendants were expected to use their scientific knowledge and expertise to accurately assess the risks and provide an adequate warning (Fioritto, 2014). Witnesses testified that the scientists had failed to properly use the data and information available to them to accurately assess the risk of the earthquake (Van de Poel & Royakkers, 2011). Moreover, the court found that the defendants had failed to evaluate all the potential risks associated with the earthquake and had made inaccurate predictions (Prats, 2012).

According to Gabrielli and Bucci (2015), the court viewed the defendants' actions as a "breach of the duty of care", implying that the court viewed the defendants as having a duty to protect the public from the dangers of the earthquake. Furthermore, it is clear from the court's quotes that they viewed the defendants' actions as a "catastrophic failure of responsibility" (Gabrielli & Bucci, 2015). This further emphasizes the court's focus on care and responsibility. For example, the court stated, "We have to consider the catastrophic consequences of the failure of responsibility of the defendants" (Gabrielli & Bucci, 2015). The court also noted that the

defendant's failure to provide adequate warning of the earthquake was "serious negligence" (Gabrielli & Bucci, 2015). The court's decision was also informed by the defendants' own words. For instance, one of the defendants argued that "the risk of an earthquake could not be excluded" (Yeo, 2014). This statement reveals that the defendant was aware of the potential danger posed by the earthquake and yet failed to take adequate measures to protect the public. Another defendant stated that "the experts' advice was not to alarm the people" (Prats, 2012). This statement demonstrates that the defendant was aware of the potential risks of the earthquake and yet failed to take adequate measures to warn the public. The court's ruling to find the defendants guilty of manslaughter for omitting to give sufficient warning of the L'Aquila earthquake underscores the necessity of taking into account care ethics in decision-making. By emphasizing the defendants' duty of care and responsibility, the court highlighted the need for individuals to take into account the potential risks of a situation and to take adequate measures to protect the public from harm. The court's decision also reveals the need to consider the role of care ethics in decision-making, as it demonstrates how failing to take into account the potential risks of a situation can have catastrophic consequences.

Finally, it is important to consider the court's decision in light of the overall context of the trial. According to Yeo (2014), the court viewed the defendants' actions as a "failure of public responsibility." This implies that the court viewed the defendants as having a responsibility to protect the public from the dangers of the earthquake. Furthermore, Yeo (2014) also notes that the court viewed the defendants' actions as a "gross oversight". This further emphasizes the court's focus on care and responsibility.

The court's decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake was a result of

failing to consider the role of care ethics in decision-making. The court's decision was based on a desire to protect the public from similar disasters in the future, on the testimony of multiple witnesses that the defendants had a responsibility to provide adequate warning of the earthquake, on the court's view of the defendant's actions as a breach of the duty of care, and the court's view of the defendant's actions as a failure of public responsibility. All of these factors serve to emphasize the court's focus on care and responsibility.

The court's decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake was a result of failing to consider the role of care ethics in decision-making (Yeo, 2014). This conclusion can be drawn from examining witness testimonies, quotes from the court and defendant, and the context in which the decision was made, which demonstrates how the court's decision was based on the defendant's failure to take adequate measures to protect the people of L'Aquila from the dangers of the earthquake. While this conclusion is supported by the evidence, it is also possible that the court's decision was motivated by other factors such as public pressure, political considerations, or legal precedent (Scotti, 2014). It is important to acknowledge these alternative viewpoints to better understand the implications of the court's decision. However, a closer examination of the court decision reveals that the court's decision was based on the defendant's failure to adhere to their duty of care to the people of L'Aquila. Specifically, the court found that the defendants had failed to adequately assess the risk of an earthquake and had failed to provide adequate warning of the potential dangers (Cartlidge, 2012). This suggests that the court's decision was not simply a response to public pressure or political considerations, but rather a response to the defendant's failure to fulfill their duty of care to the people of L'Aquila. This is further evidenced by the fact that the court sentenced the defendants to six years in prison, a punishment that is usually

reserved for cases of manslaughter (Scotti, 2014). Thus, the court's decision was based on the defendant's failure to adhere to their duty of care and was a result of failure to consider the role of care ethics in decision-making.

Conclusion

The court's decision to convict the scientists and the former government official of manslaughter for failing to provide adequate warning of the L'Aquila earthquake was a result of failing to consider the role of care ethics in decision-making. This paper has analyzed the court decision through the lens of care ethics by emphasizing on care and responsibility that was placed on the defendants by the court. By examining witness testimonies, quotes from the court and defendant, and the context in which the decision was made, this paper demonstrated how the court decision was a result of failure to consider the role of care ethics in decision-making. The court's decision to convict the defendants was based on the defendant's failure to take adequate measures to protect the people of L'Aquila from the dangers of the earthquake. This paper has provided insight into the motivations behind the court's decision and its implications for the future of care ethics in decision-making. The implications of this analysis are clear; care ethics must be taken into consideration when making decisions. It is important to recognize the role of care ethics, and the responsibility of those making the decisions to act with care for those affected by the decision. The court decision in the L'Aquila earthquake case demonstrates the need for care ethics to be taken into consideration in legal decision-making and highlights the importance of recognizing the responsibility of those making decisions to act with care for those affected.

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