

MARTIN, TROY A., Ph.D. *Unsettling Professional Code: Relationship Boundaries and Ethical Possibilities*. (2015)  
Directed by Dr. Kathy Hytten. 242 pp.

My dissertation addresses ethics in social professions through a conceptual and empirical study of how professional boundaries and codes organize relationship. Central research questions include: “How might one’s sense of responsibility to another person shrink under professional codes, procedures or good boundaries? Does professionalism lower the stakes of professional relationship by restricting involvement and avoiding risk?” After developing an interdisciplinary, theoretical account of professionalism and normative ethics, I bring care ethics and postmodern critique together to challenge the foundations of professional ethics. While providing important protections, professional norms and codes of ethics narrow the scope of what is “ethical” and limit ethical possibility. Emphases on “do no harm” and risk-aversion lower the stakes of professional relationship. My queer reading of ethics code discloses how professional ethics are treated as stable knowledge. I argue that professionalism ascribes the condition of *being ethical* rather than promoting active social processes and pragmatic ways of *doing ethics*.

My qualitative study of professional teachers and social workers who became “parents” to youth they met in professional contexts grounds my theoretical and philosophical inquiry in experiential narrative. I describe an ethical periphery where practitioners make “positive boundary crossings” and suggest that professional ethics is a matter of deliberated action rather than identity. Mutual relations and “elastic boundaries” invite more creative and pragmatic problem solving and make ethical discourse more relevant and meaningful in everyday professional practice.

UNSETTLING PROFESSIONAL CODE: RELATIONSHIP BOUNDARIES  
AND ETHICAL POSSIBILITIES

by

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A Dissertation Submitted to  
the Faculty of the Graduate School at  
The University of North Carolina at Greensboro  
in Partial Fulfillment  
of the Requirements for the Degree  
Doctor of Philosophy

Greensboro  
2015

Approved by

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Committee Chair

To Wing Biddlebaum who said,  
“You must try to forget all you have learned.  
You must begin to dream.”

APPROVAL PAGE

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## CHAPTER I

### INTRODUCTION

Citizens of economically “developed” and “developing” nations regularly use professional services. Later today, I plan to take my cat to his appointment with the veterinarian. Perhaps you sent a child to school this morning. Relying upon and integrating professional services into daily life has become common, seldom questioned routine. As well, managerial and professional services have become dominant sectors in the U.S. economy (Williams, 2014). With attention toward the influence of professionalism on social organization, I am broadly interested in how boundaries organize and order relationship. By centering ethics in the life-world of the professional, I seek to better understand how professional ethics organize relationships and describe how professional agents experience relationship boundaries. While the experiences of recipients of professional services are an important area of study, I have found that the experiences of frontline professionals who provide services are less often theorized and described. Given that professional codes of ethics establish general principles and rules of conduct, I want to know more about how they conventionally narrow the scope of what is “ethical” and, thereby, limit ethical possibility.

I recently listened to a story on National Public Radio covering the January, 2015 Charlie Hebdo attack in Paris in which 17 people were killed. When reporting about the

assailants and the accuracy of their marksmanship, the reporter described them as “very professional.” I presumed that she meant the killings were carried out with technical expertise and skill. Yet I wondered, “If killing can be described as ‘professional,’ does any ethical signification remain in the concept of professionalism?” While a minor descriptor in one story does not fully reflect contemporary discourse, I wondered if professionalism has come to mean expert know-how devoid of any ethical content. I then asked, “What meaning is conveyed when teachers or social workers are described as *very professional*?” Does it mean they follow the rules? Does it mean that they take their duties seriously and demonstrate competency in their professional skills? Does *professional* signify anything about ethics—the teacher’s sense of justice or the social worker’s compassion? Or, are ethical principles inextricably and tacitly built into “textbook” professional procedures and actions?

I share this anecdote on the reporter’s use of the phrase “very professional” because it captures something about what professionalism is and how it is understood in everyday life. I also share it to focus on professionalism as a form of social organization. As agents of professional activity, our freedoms are impinged by our professional obligations. As professionals—educators and social workers in the case of this study—we reasonably need to be able to make critically reflexive maneuvers by examining the very social institutions from which many of us derive identity, purpose, status, and meaning.

I have degrees in K-12 teaching and social work and have spent significant parts of my life in the credentialing processes of professional education. My undergraduate



studies led to a teaching license in North Carolina. After five years of work experience, I enrolled in professional graduate studies for a Masters of Social Work (MSW). When completing schooling I did not realize that while professional status gave me a pass through certain social barriers, the terms of access would always be prescribed and controlled by outside, third parties. To be allowed into the lives of others, I completed the required professional schooling. My schooling, some combination of classroom and internship learning, provided a series of competencies, skills, experiences and credentials. It also granted me with state-sanctioned *public trust*, which allowed me, a stranger, to show up in the lives of others.

Among other things, my socialization into professional identity taught me how to conduct myself and how to regard myself. Certainly, the privilege of my education and granted public trust came with responsibility and accountability. With government oversight, the market-logics of consumer choice and a field of expertise, professionals deliberate the appropriate use of “discretionary powers” (Frowe, 2005, p. 44). Regulation of professional power and practices of constraint have attempted to correct troublesome histories of misuse and abuse.

To maintain trust and prevent harm, professionals adhere to guiding principles and rules of conduct and practice. Toward these and other purposes, professional education includes some consideration of professional ethics—frequently codified into written statements. Professional codes of ethics are developed and enforced to restrict the conduct of professionals and eliminate risks of abuse and exploitation. In the United States, the National Education Association (NEA) and the National Association of Social

Work (NASW) approve and publish codes of ethics. Professional codes of ethics may be summarized generally under the banner “do no harm” and depend upon an individual professional’s reasoning to follow guidelines, such as confidentiality, in a given situation. For example, a teacher refrains from posting negative remarks about a student on social media because those remarks might damage her network of professional relationships (with students, parents, colleagues, public). As well, under a principle of confidentiality the NEA Code of Ethics states, “The educator ... shall not disclose information about students obtained in the course of professional service ...” (National Education Association, 1975). The rule of behavior is given to teachers as a product of a certain kind of episteme, a tradition of practice and a particular ethical discourse. The stage upon which professionals enact “correct” behavior is often the liminal, negotiated space between two persons.

### **Technologies of Care**

Professionals maintain general boundaries between private life and professional life. Drawing boundaries is part of the way that professionals check their own powers and protect clients, the public, themselves and the professions they represent. Drawing boundaries also marks, divides and orders social space. Drawing boundaries and making distinctions about what is “out of bounds” are attempts to address issues of trust and power. Given privileged positions and discretionary powers, codes of ethics attempt to protect vulnerable populations and reduce potential for harm. Ethical codes reflect instrumental objectives. However, as technique, the declaration of professional ethics and the demarcation of professional boundaries may actually *narrow* ethical

responsibility. Schools are tasked with the responsibilities of education. Social services accept responsibilities for the care of vulnerable groups. Thus, ethical responsibility is entrusted to professional institutions and exercised by following professional procedures. Ethical responsibility for the other person shifts from the one to the many, from the “brother’s keeper” to civil society.<sup>1</sup>

In this dissertation, I explore the ethical dimensions of professional boundaries, codes and practices in spaces of one-to-one encounter. How might one’s sense of responsibility to another person *shrink* under professional procedure or good boundaries? A teacher who refrains from risky self-disclosure to a student may build distance in the relationship to protect against a potential conflict of interest; however, such withdrawal may also stifle the ethical possibilities of that relationship. In this study I address the problem of how professionalism, in general, and codes of ethics, in particular, narrow the scope of what is “ethical” and, thereby, limit ethical possibility. I also pose critical questions about the relational, subjective and ethical dimensions of professionalism—an ideology promoted in universities of education and social work and emboldened by recent neoliberal trends.

As organizational and psychological technique, drawing boundaries operates as an example of modern technology (Strivers, 2004). Professionals learn and practice organizational and psychological techniques. For example, within a technique of drawing boundaries, a teacher may limit or refrain from personal self-disclosure while expecting self-disclosure from students. Such asymmetrical relations may be understood

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<sup>1</sup> Alan Wolfe (1989) provides a thorough analysis of this social shift in *Whose Keeper? Social Science and Moral Obligation*.

as maintaining teacher authority or position. I generally refer to organizational, procedural techniques common to the social professions as *technologies of care*. Technologies of care externalize familial care activities when care is “performed” by professionals according to “contractual pattern of relationships governed by the market” (González & Iffland, 2014, p. 6). González and Iffland (2014) distinguish *caring about* from *caring for*. *Caring about* involves a subjective attitude of concern and an emotional or social bond. *Caring for* includes actions aimed toward diminishing objective obstacles to well being (p. 3). While *caring for* can be achieved through rational procedure, the subjectivity of *caring about* may be more difficult to achieve. I suggest that *caring for* in the absence of *caring about* constitutes a technology of care. Technologies of care make human relationships “abstract and impersonal.” As well, the professionals who use them are “relieved of personal responsibility in judgment and choice” (Strivers, 2004, p. 17) by following rule and procedure. Developed and deployed for consistency and efficiency, technologies of care contribute to alienation and loneliness in modern life, in part, by suppressing the professional subject and colonizing “our experiences, opinions, emotions, and consciousness” (p. 19).

Describing the disabling effects of professionalized services, McKnight (2000) explains that “serviced societies” are “peopled with service producers and service consumers – professionals and clients” (p. 184). He reasons that manufacturing “need,” increasing the supply of “personal deficiency” (p. 188), is essential for fueling service economies. Such economic rationalism underlies what I describe as “technologies of

caring.” Perhaps the most well-known critic of professions, Ivan Illich (1977), coined the phrase “the age of disabling professions” and emphatically warned:

Only if we understand the way in which dependence on commodities has legitimized wants, coined them urgent and exasperated needs while simultaneously destroying people’s ability to fend for themselves, can the progress into a new dark age be avoided, an age in which masturbatory self-indulgence might be the safest assertion of independence. (p. 14)

Focusing on the unintended effects of social welfare services, McKnight (2000) critiques, “The political consequence is neighbors unable to act as communities of competence with the capacity to perceive or act upon solvable problems” (p. 188). Such reasoning troubles the ethical purposes of social professions—professions concerned with caring, helping, educating and advocating for vulnerable groups.

Drawing from sociological and philosophical traditions, I build an interdisciplinary critique of professional ethics in Chapters Two and Three of this study. Central to my critique are postmodern approaches to ethics and the application of postmodern thought to professional practice. For example, Dybicz (2012) claims that postmodern practice in social work offers a “new paradigm” where “care and expertise work together in supplementary fashion” (p. 278). Re-examination of traditional beliefs about practice, such as professional boundaries and dual relationships, in light of postmodern thought and conditions may be called for. I specifically center traditional beliefs and practices related to professional ethics, as embodied in codes of ethics, and the experiences of professional practitioners. Agreeing with postmodern rejections of

universal truths and master narratives, I foreground the subjectivities of the professionals who must negotiate various technologies and regimes of truth.

### **The Social Professions**

I believe that members of the “social professions” are uniquely positioned to contribute important perspectives on caring for and caring about others while also bound and regulated within a professional field of play. Banks (2003) describes social professions as:

...related but distinct occupational groups involved in care, social control, informal education and advocacy with a range of vulnerable, troublesome or “disadvantaged” user/client groups. In European terms, this would include social work, along with many varieties of social care and social education work, including social pedagogy and community and youth work. (p. 134)

The categories “social professions” and “social education” are more commonly used in European scholarship (Banks, 2003; Baptista, 2012; Campillo, Sáez & Sánchez, 2014; Clifford, 2002). Baptista (2012) describes social pedagogy that occurs as “praxis education in the context of the ‘care sector’” (p. 41). I use “social professions” to group similar activities in education and social work and to distinguish clinical or therapeutic social work practice from non-clinical practice. Campillo, Sáez and Sánchez (2014) describe “social education” as a *relational* profession that involves work on the other in a caring or helping capacity (p. 7). Clinical or therapeutic professions, while fitting this description, are not the focus of my study and only play a minor role in my discussion of ethics codes. Because of complicating mental health practices and therapeutic processes, clinical social work is not included within my use of “social professions.”

Care ethicists, like Noddings (1984), may describe social professions as “caring professions.” Others may make distinctions between the kind of activity involved in social professions when compared to more male-dominated professions like medicine or architecture. They argue that professions such as social work “... have lesser claims to distinctive knowledge bases and rely more heavily on their ethical commitment to service, within defined tasks and roles, as the basis for asserting professionalism” (Hugman, 2014, p. 174). I focus my dissertation study on social professions for several reasons. First, my professional background, education and experiences are within the social professions. A strength of my study includes my ability to speak with an “insider” understanding of professional ethics and relationships. Second, social professions include relational activities such as care and ethical commitment. Thus, members of social professions have first-hand understandings of how those activities are situated, managed and experienced under professional structures and ideologies. Third, within the context of late-capitalism, globalization and the erosion of State-provided social welfare, practitioners in social professions are increasingly managed for deliverable outcomes and performance metrics (Banks, 2011; Brill, 2001; Dustin, 2007; Larson, 2014; Weinberg & Taylor, 2014). For example, Weinberg and Taylor (2014) spoke with a social worker who was asked to “put in less quality work just to get the quantity done” so that her agency would be within the “funding corridor” (p. 80). The experiences of frontline professionals have changed qualitatively under neoliberal policies and market logics. Thus, the values and ethical commitments that underscore a “calling” to service for many

social professionals are increasingly subject to economic influences and governmental techniques.

### **Research Questions**

How does modern, techno-scientific rationalism manifest in professionalism and professional ethics? Do professional ethics and boundaries narrow space for being together in caring, responsible ways? How might one's sense of responsibility to another person *shrink* under professional procedure or good boundaries? Does professionalism lower the stakes of professional relationship by restricting involvement? What is professionalism without trust, and what is trust without risk? Within an assortment of safe, pre-approved techniques of care, is there room for openness and close, mutual relationship?

These questions are timely as fissures within centralized authority spider outward and create fractured shapes and fragments. The "postmodern turn" points our attention toward multiplicity, fluid power relations and truths without certainties. By studying breaches of professional ethics code, I intend to explore moral responsibility not as static duty, but as unsettled encounter and creation. Countering normative rules, how might breaches of professional norms be understood (by professional subjects) as potential sites for ethical action?

This study may interest anyone who has lived an experience of her own professional identity at odds with her felt sense of responsibility to someone or something. My professional experiences as a teacher and a social worker have repeatedly placed me into conflicted and ambiguous space between professional boundaries and



lived responsibility to others. For me, codes of professional ethics, such as strict prohibitions on “dual relationships,” often fail to clarify that ambiguity. I expect that others have experienced ambiguities in their professional relations. In this study I explore the potential of that ambiguity.

### **Personal and Theoretical Reflections: Queering a Professional “Minefield”**

As an entry into my interest in this topic, I share my own experience of struggling to navigate professional boundaries while responding to an older adolescent. My personal story involves becoming the foster parent to a young person who I met while employed in a therapeutic wilderness program. I was Andrew’s family counselor (a masters-level social work position) during his ten-month stay in a residential facility. Andrew, seventeen years old, was in foster care; his parents were not available to participate in family counseling sessions or home visits. So, I often talked with him one-to-one. Initially, I justified extra time with him as compensation for the lack of attention he received from family. Without family involvement in his treatment, Andrew was deprived of certain “privileges” such as off-campus family visitation. Over time spent together, we developed a bond and mutual connection. I cared about Andrew and valued our relationship. I also felt as if he cared about me. Eventually, I could no longer contain my feeling and concern for him within the parameters of my professional duties alone. While my responsibilities extended equally to all of the twelve adolescents in my group, Andrew’s situation demanded more of me. I could provide something that might benefit him—a stable place to live, an ongoing relationship with an adult. My professional training taught me that distance and objectivity were valued over closeness and

partialness, which (according to clinical approaches) were signs of transference and countertransference. The *responsibility* that I felt for Andrew differed from my responsibilities toward other group members. I could no longer honestly describe it as a purely professional relation and was deeply troubled by the prospect of arbitrarily ending our relationship on his eighteenth birthday, when he would no longer qualify to reside at the facility. No family members came forward, and aftercare plans remained uncertain as his discharge approached. Neither my professional schooling nor the NASW Code of Ethics provided useful guidance for this peripheral space between professional and personal.

The periphery is a risky place to be. The NASW maintains a peer consultation ethics call line that provides opportunities for social workers to consult with representatives from an ethics committee. Freud and Krug (2002b) report, “The call line heard from a social worker who was fired from her job for trespassing clinical boundaries because she decided (with prior approval of child protection services) to become a foster mother to a child she had clinically evaluated” (p. 489). How can professional practice that limits care be considered ethical? Freire (1994) claims that our “ontological vocation” is “to be more fully human” (p. 74). For me, uncertainty obscured a path forward as my “ontological vocation,” my humanity, seemed at odds with my professional identity.

When I considered getting licensed to become Andrew’s foster parent under independent living provisions that would allow him to remain in foster care until he turned 21 years old, I did not know what kind of reaction to expect from his social worker

at the Department of Social Services or from my employer and colleagues. Even though permission and support came quickly, I had a vague sense of doing something wrong. I questioned myself. Was I foolish? Was this too risky? Was I too far afield? In an editorial article Goldstein (1999) describes some of the tensions I experienced:

[T]he treatment experience begins to look like a minefield, requiring the practitioner to tread carefully and risk little. One might fear that genuine kindness and caring may incur dependency; physical contact—a hug—may be interpreted as seduction; accepting a small gift might be seen as manipulation or control, as would revealing “too much” personal information. . . . [T]his unusual relationship (that has no counterpart in the real world of human relations) . . . create[s] a set of presuppositions that draw lines and create boundaries that ought not be crossed. It is no wonder that a practitioner would have “headaches,” feel like a sinner, or doubt his or her morality and confidence having ventured too far beyond the therapeutic boundaries. (pp. 436-437)

I recall vague awareness of “working” outside of normal procedures when I began to take action toward becoming Andrew’s foster parent. I tacitly felt the trip wires within this minefield, and I needed to justify myself for walking through it. Was it suspect for a single man to pursue the role of foster parent to an older adolescent with whom he has professional obligations? Was I being *unprofessional*?

Breaches of professional code are often reported to the public and depicted as deviance or perceived as moral failing. When breaches of professionalism happen we rarely question the codes of professionalism, because the codes provide a natural order. As “normative” approaches to ethics, professional codes prescribe “what people should do in terms of ethical principles, rules and specific actions” (Banks, 2008, p. 1242). Once codified and established, normative ethics are treated as natural rather than “produced.”

Understanding ethics code as produced "... allows new insights into its vulnerabilities and greater possibilities for conscious reshaping of the terrain" (Rossiter, Prilleltensky, & Walsh-Bowers, 2000, p. 87). Part of queer theory's project involves troubling the assemblage of natural order. I use queer theory as strategy for breaking open the codes and "natural order" of professionalism. I do this in order to clear terrain and re-imagine horizons for professional relationship in a time of social fragmentation and "moral minimalism" (Strivers, 2004, p. 2).

Nikki Sullivan (2003) suggests employing "queer" as a verb meaning "... to spoil, put out of order" or "denaturalise" (p. 50). Queer theory initially emerged as a challenge to gender construction and heteronormativity. Applied to examinations of other subjectivities and identities, queering helps dislodge generalizing and naturalizing constructions. Sullivan explains,

Deconstructing the presumed opposition between homosexuality and heterosexuality, the 'unnatural' and the 'natural' is important, then, because it enables us to acknowledge the constructedness of meaning and identity and thus to begin to imagine alternative ways of thinking and of living. (p. 51)

Possibilities that might emerge from deconstructing the normative and the "natural" create space for moral responsibility, acts of resistance and love.

An example of how the "normal" organization of professional work can be disassembled in practice will help to illustrate how I use queer theory to support my study. Distinctions between my personal life and my professional life slipped well before Andrew moved into my house. While I was officially "off the clock" at 5 pm, I

frequently stayed on campus late to talk and spend time with him. In general, the campus atmosphere relaxed a little after 5 pm, when most of the administrative and professional staff went home. Talking after hours was more casual and invited mutual exchange; conversations went beyond the directives of treatment goals. As day turned to night in the rural, forested setting, the obligations of school and treatment progress gave way to sitting around campfires in the presence of each other's voices and stories. In other words, stretching the business day and staying beyond 5 pm was a response to my relationship with Andrew that "broke open" the natural order of professional life and led to a different kind of interaction. I was on professional ground (the physical location of my employment) but on my personal time. By blurring the distinctions between personal and professional, I was able to consider the possibility of a different relationship with Andrew, of becoming his foster father—a possibility that Andrew and I may not have considered from the bounded space of my desk during office hours.

Within professional terrain, my relationship with Andrew was on the periphery. I was concerned about transgressing boundaries. Our connection did not fall cleanly into the delimited space of professional. We were on the periphery—the outer limits of what was allowed. The only way out was to risk love, to risk harm, to risk relation.

### **Importance of the Study**

The importance of this interdisciplinary study is personal, academic and pragmatic. On a personal level I want to better understand my experiences of professional life and professional relations from social work and education. I want to think more deeply about my observation that the part of professional relation that seems

to matter most is often on the periphery of the permissible. I want to explore my claim that the potential for ethical engagement and love lies in a “shadow-area” (Doel et al., 2010) of professional life. Academically, my study attempts to pull together various currents of scholarship that rarely speak with each other. I bring professional literature from social work together with education under “social professions”; I connect a significant body of scholarship in the sociology of professions to contemporary moral philosophy including postmodern ethics; I also share recent developments in empirical ethics (connecting moral philosophy with empirical research) and demonstrate these efforts with qualitative research in Chapter Five.

The technical rules, ethical codes and procedures of the social professions fail to reflect the calling—the heart and soul—of the practitioners who enter and continue in these professions. We need to better understand the experiences of professionals under various regimes and discourses when the professional “tools” are no longer useful to the situation at hand, when the professional agent is in the presence of the ethical demands of the Other and the codes and principles are no longer helpful. This is particularly important at a time when social professions are increasingly managed under market-logics and neoliberal discourse. By highlighting these aspects of subjective experience, my study contributes to professional ethics pragmatically. It potentially pushes the ethical discourse of social professions toward increased relevancy and meaning in everyday practice.

## Outline of the Study

To consider professional ethics as constricting ethical possibility and pushing ethical relation to the periphery, I combine sociological and philosophical analysis with qualitative research. I also share my personal narrative and additional experiential narrative material as related to various themes and ideas throughout my dissertation. In Chapter Two—*Bound by Code: Sociological and Philosophical Perspectives of Professions*—I provide an historical and theoretical account of professionalism and normative ethics. Sociological analysis frames professionalism (organization, knowledge-base, discourse and practice) and the codification of ethics broadly through macro and micro operations. I draw heavily from Magali Sarfatti Larson’s (1977) sociological analysis, *The Rise of Professionalism*. Sociological analysis also ties the “professional project” (Larson, 1977) to liberal capitalism. Through structuralist, functionalist and interactionist theoretical perspectives, I describe professionalism as a product of modernity. I focus on codes of ethics and relationship boundaries as part of an assemblage that has helped to produce professional ideology and identity. I engage moral philosophy (e.g. deontological and teleological ethics) and introduce contemporary critiques of professional ethics and codes of ethics.

In Chapter Three—*Unsettling Professionalism: Challenging Normative Code And Imagining Ethical Possibilities*—I utilize postmodern critique to pursue my research questions and challenge some of the foundational assumptions of professional knowledge and ethics. I introduce “feminist care ethics” as critique and alternative to traditional professional norms and ethics codes. Then, I explore how care may be leveraged and

distorted in capitalistic, technological society and how “caring” has been reconfigured into impersonal technology through professionalism. In the latter part of this chapter, I share alternative ways of defining and thinking about ethics against the professional conceptualizations described in Chapter Two. I briefly discuss cognitive ethics and legal protections followed by a more detailed examination of postmodern ethics. I discuss Bauman, Levinas and Foucault as major figures contributing to postmodern ethical possibilities.

In Chapter Four—*From Top Down to Bottom Up: Finding Ethics in Everyday Professional Life*—I make a case for a phenomenological understanding of ethics that highlights “being-in-the-world” and empirical study of ethics in professional practice. While examination of sociology and philosophy behind “professional ethics” offers theoretical depth, normative ethics do not necessarily describe lived experience in social professions. This chapter includes interdisciplinary scholarship from fields that include philosophy, psychiatry and ethnography. To explore how the professional subject experiences and responds to the ethical structures of professionalism, I ground the “ethical” within the artifacts of everyday professional life. After explaining a framework of empirical ethics, including “pragmatic hermeneutics,” I use experiential narrative material and film (i.e. the 2009 film *A Single Man*) to combine “factual” or descriptive accounts of the lived world with normative questions of judgment and value. This work of grounding and bridging leads me directly into the next chapter, which adds qualitative research on ethical responsibility and professional boundaries with social workers and teachers.



In Chapter Five—*Crossing Lines, Opening Ethical Space: Professionals Becoming Parents*—I share the qualitative component of my dissertation research. I conducted seven semi-structured interviews of professional teachers and social workers who became foster or adoptive parents to youth they met in professional contexts. All of these professionals breached ethical and procedural norms of their professional relationships by pursuing more personal, parenting relationships with their clients or students. Doel et al. (2010) report on “positive boundary crossings” in social work and describe a need for more research into “good and effective practice” that is taking place in the “shadow-areas” of policy and discourse (p. 1884). I share my analysis results by identifying three themes from the participants’ descriptive accounts of moving from a professional role to a parental role with their clients and students. I describe how participants experienced and negotiated rules and highlight the importance of action and responsibility beyond the parameters of one’s professional role. Additionally, I acknowledge the critical role of discourse in defining what is thinkable or actionable among professionals. I also discuss the limitations of my qualitative research as related to my overall dissertation.

In my final chapter—*Conclusion: Imagining Social Professions that Make it Easier to Love*—I summarize my findings and approach the task of decentering professional “ethics” by showing how risk-aversion lowers the stakes of professional relationship by restricting involvement. Ethical possibility is much broader, and much less certain, than the rational center of normative professional ethics. My queer reading of ethics code discloses how professional ethics are treated as stable knowledge. I argue

that professionalism privileges ways of *being ethical* rather than active social processes and ways of *doing ethics*. I identify two ethical possibilities—freedom and commitment—that are diminished by strict adherence to professional articulations of ethics. I make recommendations for further research into the discursive practices of professional ethics and additional study of “positive boundary-crossings.” Finally, I recommend more space for “elastic boundaries” and mutuality in the relationships between practitioners and their clients or students.

CHAPTER II  
BOUND BY CODE: SOCIOLOGICAL AND PHILOSOPHICAL PERSPECTIVES  
OF PROFESSIONS

The professional bureaucrat is chained to his activity by his entire material and ideal existence. . . . [H]e is only a single cog in an ever-moving mechanism which prescribes to him an essentially fixed route of march.

—Max Weber, *Bureaucracy*

Being a professional and taking on a professional identity involve the enactment of professionalism. To identify as a professional, one must engage the social expectations of professionalism through speech, appearance, conduct, ideas and ethos. When socialized into a profession, an individual typically adopts a professional identity. Occupying a profession, in this sense, plays a part in how one interacts with others and how identity is organized. In this dissertation study, I ask how norms and codes of professional conduct shape and restrict ethical responsibility in everyday work practice. In order to address the question fully in this chapter, I summarize relevant sociological theory and history of professions. My discussion of the sociology of professions is limited within the scope of this dissertation, which centers on the professional's experience of "ethics." In this chapter I share a brief overview of major sociological perspectives of professions to provide an historical, macro-orientation to the power and dominance of professions. I follow my discussion of structural, functional and interactionist perspectives of professions by describing professional ideology

and exploring how professionals interact and make meaning within daily practice. Then, I describe professional codes of ethics with particular attention to codes in the social and medical professions. I discuss professional codes of ethics as normative and point toward Kantian deontology and modern legal code as examples of normative ethics. Lastly, I locate professional codes of ethics within an expansive order of legal obligations and protections and introduce the concern that dislocating ethics from individual subjects may lead to individual ambivalence and withdrawal from social life.

### **Sociological Perspectives on Professionalism**

First, I want to provide an overview of how professions began and rose into established features of the economic order in the United States. My inquiry into ethical code is broadly informed through the production and authority of professions. How have professions gained social power and what is the basis of their moral authority? In this chapter I rely heavily on Magali Sarfatti Larson's (1977) analysis on the "rise of professionalism" and the "professional project." In the subfield of sociology of professions, Larson's work influenced most of the scholarship coming out of the latter part of the twentieth century (MacDonald, 1995, p. 2). Extending Eliot Freidson's analyses of the medical professions, Larson's conceptualizations have proven valuable to many researchers (MacDonald, 1995).

The rise of professionalism accounts for establishing markets and achieving market control. It tells a story of organizing knowledge and expertise through schooling, while addressing and developing public need, in order to establish and control new markets. Although each profession has a separate history, historical sociologists

highlight similar developmental structures that are shared among emergent professions in the nineteenth and early twentieth centuries. Among industrial and post-industrial countries, my investigation focuses on professionalism in the United States, which has developed under different political structures compared to professionalism in Europe (Abbott, 1983). When considered globally, my primary perspective is Eurocentric because I use social theory concerned with second modern<sup>2</sup> and postmodern societies (Zinn, 2008, pp. 43-44).

### **The Establishment of “Eufunctional” Professional Monopolies**

A monopolistic perspective frames the rise of professionalism as part of the historic expansion of capitalism. It describes the “professional project” (Larson, 1977)<sup>3</sup> in which the possessors of specialist knowledge build monopolies of their knowledge and establish a monopoly of services that derive from it (MacDonald, 1995, p. xii). In her groundbreaking text on professionalism, Larson summarizes:

Professionalization is thus an attempt to translate one order of scarce resources—special knowledge and skills—into another—social and economic rewards. To maintain scarcity implies a tendency to monopoly: monopoly of expertise in the market, monopoly of status in a system of stratification. (1977, p. xvii)

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<sup>2</sup> Zinn (2008) characterizes second modern society as having well developed nation states, welfare states, institutions of science and technology and “an institutionalized expectation of full employment” (p. 43).

<sup>3</sup> Macdonald’s (1995) review of Larson’s work and criticism directed toward it consider Larson’s “professional project” as an “ideal type.” Larson (2014) herself agrees that it is flawed for being too abstract and general. Since I employ Larson’s work as background in a theoretical critique of ethics codes, I might concede that it is an “ideal type” and yet still useful for illuminating a fuller understanding of ethics codes.

The professional project advanced under a liberal phase of capitalism (Larson, 1977, p. 38), which involved a period of open markets and widespread commodification. Preceded by medicine, emergent professions, like accounting, engineering, social work and teaching, followed. The rise of professionalism demonstrates the rapid, “self-regarding” expansion of capitalism through aggressive pursuits of new markets and the “commodification of everything” (Wallerstein, 1983, pp. 15-16). In order to convert non-monetized services (e.g. a daughter taking care of her elderly mother) into commodities (e.g. paid-for-service geriatric social work), broader social structures had to shape the social need for given services (Larson, 1977, pp. 17-18). Across diverse professions, market development and control was achieved by (1) a potential market for professional service and (2) a cognitive base to which a service could be tied (p. 18).

Broadly speaking, professions are organized around specialized knowledge and abilities that are not available to the general public (Freidson, 1970; Frowe, 2005; Larson, 1977; MacDonald, 1995; Schmidt, 2000). Professionals achieve status and market value by claiming specialized knowledge and abilities within restricted “jurisdictions.” A concept developed by Andrew Abbott, “jurisdiction” pertains to the formal and informal social structures that link profession to work and mark the boundaries of contested turf (Macdonald, 1995, p. 15). For example, distinctions between the work of a clinical psychologist and a clinical social worker may be finely developed within each jurisdiction. In addition to a knowledge base, other criteria often cited for “professional” status include adherence to a service ideal and a set of professional norms (Larson, 1977; Wilensky, 1964).

Gaining access into a professional class generally requires schooling or credentialing (Freidson, 1986; Ohmann & Schrecker, 2014; Schmidt, 2000). Post-secondary schooling became the dominant credentialing system in which discreet bodies of knowledge and skills were organized and standardized. As such, the university became *the* mechanism for growing professions. Larson (1977) identifies the linkage between knowledge production and its application in a market:

The core of the professionalization project is the production of professional producers; this process tends to be centered in and allied with the modern university. The university also tends to become the major center for the production of professionally relevant knowledge. Both of these processes—the producing of practitioners or researchers and the producing of knowledge pure and applied—tend to become increasingly integrated and coherent within the modern university. ... Thus, in its modern sense, profession appears to be a structure which links the production of knowledge to its application in a market of services: the training institutions are the empirical arena in which the linkage is effected. (pp. 50-51)

Linking production of knowledge to market application inextricably fuses professional education to capitalist expansion of markets. Whereas some academic disciplines may attempt to maintain independence from market influences, professional disciplines resemble training centers for producing professionals and serving market interests.

If anything, market interests have grown stronger and more intense since Larson's original description. Writing about the formation of teachers in teacher colleges and universities, Larson (2014) more recently states, "In the hands of university-based educators, pedagogical science aimed at rationalizing not only the school, but also the classroom, under the rule of experts" (p. 14). Freidson (1986) relates *rationalization* to

secular formal knowledge and describes it as consisting of "... the pervasive use of reason, sustained where possible by measurement, to gain the end of functional efficiency" (p. 3). Freidson connects rationalization with economic purposes under the operations of capitalism. Managerialism and "McDonaldization" within the social professions have also received considerable attention recently (Clarke, Gerwitz & McLaughlin; 2000; Cochran-Smith, 2008; Dustin, 2007; Kincheloe, 2002). Weinberg and Taylor (2014) explain managerialism:

Managerialism is characterized by attempts to ensure tight control over spending to eliminate excesses and inefficiencies, standardized work practices, increased management powers through the imposition of structures to monitor performance, working to targets, extensive documentation, and the erosion of professional autonomy (Banks, 2011; Clarke, 2004; Dickens, 2008). (p. 75)

According to Kincheloe (2002) "McDonaldization" is a process of elevating "efficiency and standardization over questions of human need and quality" (pp. 13-14). While I do not provide a full explanation or analysis of these trends, I raise them here to update Larson's (1977) linkage between professions, rationalization and market demands.

Lee S. Schulman, former President of the Carnegie Foundation for the Advancement of Teaching, refers to "signature pedagogies" of professional education. He explains, "... signature pedagogies prefigure the cultures of professional work and provide the early socialization into practices and values of a field" (2005, p. 59). Schulman suggests that emergent professionals are socialized and shaped to fit market needs and purposes. However, the ethos of professionalism is not generally depicted in such instrumental ways. Market services and capitalist demands are absent in



Schulman's description of professional education. Schulman (2005) writes, "Professional education is not education for understanding alone; it is preparation for accomplished and responsible practice in the service of others. It is preparation for 'good work'" (p. 53). Schulman's description suggests that "service" and "good work" justify the socialization one receives through schooling. His description is consistent with a functionalist telling of the professional project. The functionalist perspective centers "social benefit" as the "functional foundation of professional authority" (Abbott, 1983, p. 865). Thus, the functionalist understanding of professionalism leaves out market purposes while emphasizing service ideals and social benefits ideologically aligned with progressive liberalism. This may be further described as "eufunctional," helping social stability rather than disrupting it.

From a monopolistic perspective, Larson (1977) describes socialization as a necessary process under market principles. "... [T]he continuity of corporate control over the producers was necessary to ensure ideological uniformity around the 'definition of product' and vigilance against ever-resurgent counter-definitions" (p. 54). Socialization into a profession should not be taken lightly. Discussing professional socialization into psychiatry, Light (1980) describes it as a deep, enduring and transformative, structural process—where the structure of the profession is built into the process (p. 311). Differing from "role learning" or "situational adjustment," socialization is internalized such that "the adopted behavior has become incorporated into the person's value system and no longer depends upon external relationships..." (p. 319). Thus, socialization produces professionals who demonstrate uniformity and make good work

and good business standard. Socialization is one of the primary goals of professional education.

Professional schools provide uniformity and standardization of product (i.e. the professional) (Larson, 1977). Professional education indoctrinates students into theoretical perspectives, ways of thinking, bodies of knowledge, ideologies, research, common values, codes and procedures. Uniformity of thought, rather than divergence, shapes the curriculum, because the explicit goal of professional schooling is to produce solidarity and professional identity (Larson, 1977). Such uniformity also sets up mechanisms for self-correction and regulation, building a professional community with power to control and sanction its members.

McMillan and Hope (2008) identify two problems with professional socialization through schooling in the health professions. Like social work and teacher licensure education, the pedagogy of medical school relies heavily upon seeing and practicing. Over-emphasis on seeing and practicing leads to the problem that "... students learn that *this* is what to do rather than critically evaluating or reassessing what should be done" (p. 11). As well, "how-to" learning "tends to hide the values and ethical issues that underpin practice" (p. 11). As a result, students learn what to do in specific situations and behavior becomes a fact without questioning whether it is right. In other words, schools may teach future professionals what to do and how to fit in while failing to teach critical thinking and reflection.

As professions and universities settled into mutually beneficial arrangements, questions of credibility and legitimacy were addressed by aligning epistemology with

scientific knowledge and method. Once a professional knowledge base could claim scientific legitimacy, then the professional school could answer and contain challenges to its authority. Larson (1977) maintains, “The cognitive activity (providing the conditions for a professional monopoly) is science” (p. 32). Wilensky (1964) adds, “In modern societies, where science enjoys extraordinary prestige, occupations which shine with its light are in a good position to achieve professional authority” (p. 138).<sup>4</sup> Thus, professionalism embedded itself within the scientific paradigm as a progressive, self-legitimizing association.

The promises of science were deeply intertwined within the promises of progress. Because anything that could be attached to science could then be attached to progress (Weber, 1946b, p. 137), an ideology of progress directs and shapes multiple and shifting currents within the rise of professionalism. As professions staked claims for knowledge bases, scientific study offered the “possibility of unlimited progress” (Larson, 1977, p. 35). The aims of the social professions could be achieved through technical and procedural refinement. Technical approaches prevailed but not without critical questioning from social theorists. Max Weber (1946b) cautioned:

Natural science gives us an answer to the question of what we must do if we wish to master life technically. It leaves quite aside, or assumes for its purposes, whether we should and do wish to master life technically and whether it ultimately makes sense to do so. (p. 144)

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<sup>4</sup> Wilensky acknowledges that ministerial or religious work may be exceptions to scientific authority. He also notes that social work vacillated between the “ministry” of social reform and the science of clinical practice (1964, p. 140). Legal professions, too, are noted as exceptions to the rule of scientific legitimacy (Halliday, 1987, pp. 29-30). Halliday (1987) further cautions that theoretical focus on scientific knowledge without a “more comprehensive epistemological context” is inadequate for understanding relations between the professions and the state (p. 29).

I elaborate on issues surrounding ideologies of progress and professional identity later in this chapter when I introduce interactionist approaches to my study. For now, it is only important to recognize the market-school-science-progress constellation within the monopolistic perspective of professionalism.

The monopolistic perspective of the rise of professionalism describes professional activities as purposeful for developing market monopolies. It places professional service alongside corporate entrepreneurship—both located within a capitalist framework. Idealistic features such as ethics and values are articulated predominantly as “obligations toward fellow professionals” rather than serving or protecting clients (Abbott, 1983, p. 862). Codes of ethics, as understood through a monopolistic perspective, are considered necessary phenomena for establishing strong professional entities. Professor of Medical Ethics Edmund Pellegrino (1999) acknowledges critiques of ethics code that claim they are devices for protecting the interests of the dominant professional group members (p. 112). While he dismisses such critique for presuming the intentions of the codes’ authors, sociological analysis (drawing from Freidson and Larson) demonstrates how functions of professions, professionals, and professional ethics and norms extend well beyond intentionality. Historical sociology shows that institutional apparatuses, such as codes of ethics, have self-interested, instrumental purposes as well as idealistic ones. Freidson (1999) makes distinctions between institutional ethics and practice ethics. He acknowledges the self-serving aspects of institutional ethics but also claims that practice ethics are encouraged with the protections of institutional ethics (p. 129). Additional features with instrumental purposes include professional associations, exclusive

knowledge bases, institutionalized training, licensing and mechanisms for colleague regulation or control (Larson, 1977, p. 208).

Larson's monopolistic perspective on ethics codes and the rise of professionalism followed a functionalist approach that thrived within American sociology in the mid-twentieth century. Functionalists studied the structure and traits of professions and understood them as stabilizing elements in society. Professional entities held moral authority with "eufunctional social forces" and were located "between the individual and the state" (Macdonald, 1995, p. 2). The term "eufunctional social forces" generalizes social elements that provide stability by passing down traditions, values, standards and ways of thinking. Like family and church, professional institutions were understood sociologically as stabilizing forces. From intermediary positions (between individuals and the state), professions could prevent social breakdown by promoting social service, the collective good and altruism (1995, p. 2).<sup>5</sup>

Within a functionalist framework, professional authority derives from expert knowledge and skill that professionals have and the general public lacks. Expertise is offered with the promise of social benefit or progress. In turn, the general public and the individual client are asked to give up some degree of power and control and to *trust* the professional. Clements (1992) connects this element of trust to early shaman traditions. As holy men and botanists, shamans could as easily "murder as cure" those who sought their help (pp. 368-69). People who sought help from shamans had to at least hope that they would act in accordance to their best interests.

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<sup>5</sup> MacDonald (1995) credits the notion of "eufunctional social forces" to Durkheim's (1957) *Professional Ethics and Civic Morals*.

The essential element of trust was eventually codified from a tradition of Hippocratic ethics. In the mid-nineteenth century the American Medical Association (AMA) developed the world's first national code of professional ethics (Baker, Caplan, Emanuel & Latham, 1999). The central moral commitment prioritized patient welfare over physician self-interest (Pellegrino, 1999, p. 110) and engendered trust between physician and patient. This was the “fundamental ethical contribution of Hippocratic Ethics,” which is dated to 460 – 377 B.C. (Clements, 1992, p. 369). The AMA's *Code of Ethics* set a precedent and blueprint for all other professional codes of ethics to follow (Baker et al., 1999).

In contemporary context, a client or student is asked to trust the knowledge base, the methods and the ethical integrity of professional social workers or teachers. The professional's “discretionary power” (Frowe, 2005, p. 44) is recognized, and the “social danger of uncontrolled expertise” (Abbott, 1983, p. 864) requires mitigating measures. To the point, the “fiduciary character of professional services” (p. 863) demands measures to establish public trust and to protect clients. Such measures are “... found in normative codes that are in turn embodied as formal professional ethics” (p. 864). Formal codes of ethics, then, speak to concerns of power and trust. Abbott states, “Ethics codes are the most concrete cultural form in which professions acknowledge their societal obligations” (p. 856).

By accounting for societal obligations and promoting social stability, professional ethics codes ostensibly garner public trust and contribute to theorizing professions as “eufunctional monopolies.” As already described within the monopolistic

perspective, standardization of schooling and uniformity of product helped to achieve market control of a particular professional domain. Under a functionalist perspective, uniformity of product (i.e. homogenization of professional behavior, methods, norms, etc.) serves the needs and values of society and promotes institutional trust. Processes for developing institutional trust differ from processes of developing individual trust. As quoted in Frowe (2005), Harre believes:

... that trust can exist between an individual and an institution (Harre, 1999). Although I may not have personal knowledge of the staff of an institution, I know that the behavior of the staff is subject to certain rules and customs, obligations and duties that give me reason to believe that they will, all things being equal, act in the ways I expect. (p. 37)

This point demonstrates that uniformity within professionalism can be understood through both monopolistic and functionalist perspectives. Both perspectives illuminate important aspects of the purposes of codes of ethics during the structural and organizational development of various professions. They also describe ethics as having dual purposes—building norms of professional conduct and securing public trust.

### **Professional Bureaucracy and Normative Isomorphism**

In the process of becoming monopolies, professions become organized into bureaucracies. As summarized in McDonald (1995), C. Wright Mills saw professions in modern society as “... being sucked into administrative machines, where knowledge is standardized and routinized into the administrative apparatus and professionals become managers (1956: 112)” (p. 3). Some advantages of bureaucratic organization include: precision, speed, continuity, unambiguity, calculable rules and “objective” expertise

(Weber, 1946a, pp. 215-216). Weber describes bureaucracy as “the means of carrying ‘community action’ over into rationally ordered ‘societal action’” (p. 228). In this sense, bureaucracies manifest a process of rationalization. Returning to a previous example, professional elder care or geriatric social work moved from an informal community action to a social service once it was organized into a rational system and anchored by specific knowledge bases, skills, credentials, regulatory associations, legal mechanisms and codes. Writing in the early part of the twentieth century, Weber (1946a) identified capitalist market economics as the major force pushing bureaucratization. DiMaggio and Powell (1983) added to Weber’s work by claiming that in the later part of the twentieth century, bureaucratization was driven less by competition and the need for efficiency but, rather, by the “structuration of organizational fields” (p. 147). They explain that the need for professional legitimacy and status eventually overtook the need for innovation and performance. Thus, in the aggregate, professions became homogenous in “structure, culture and output” regardless of efficiency and performance (p. 147). They call this cookie-cutter effect “isomorphism,” which is a homogenizing and constraining process “... that forces one unit in a population to resemble other units that face the same set of environmental conditions” (p. 149). Mechanisms of institutional isomorphism can be coercive, mimetic and normative. Coercive isomorphism reflects political influences; mimetic isomorphism results from “standard responses to uncertainty,” and normative isomorphism is associated with processes of professionalization (p. 150).

I include bureaucratic or institutional isomorphism in my study of the constraining effects of professional ethics code because it offers further explanation for



the homogenization of professionalism and for its power to enforce norms. It also provides an opening for linking theories of structure and function to theories of action and interaction. In a footnote DiMaggio and Powell (1983) indicate that goal-oriented behavior of individual actors (professionals or managers) "... reflects deeply embedded predispositions, scripts, schema or classifications." They continue to state, "The theory of isomorphism addresses not the psychological states of actors but the structural determinants of the range of choices that actors perceive as rational or prudent" (p. 149). As a common structure for ordering professional conduct, a code of ethics also determines what counts as "ethics" for those working in the social professions. A code delineates normative conduct, determines acceptable action and, in turn, eliminates possible alternatives. While bureaucratic isomorphism is about structure, I also want to extend discussion to issues of action, socialization, interaction, communication and meaning making. In the following section on interactionist perspectives of professions, I will elaborate on some of those themes.

Before leaving my discussion of bureaucracy and isomorphism, I want to contextualize these concepts to those working in the social professions. Within bureaucratic monopoly, the mechanisms of professional organization and bureaucracy tend to insulate themselves and cover dissent. Margolin (1997) observes that social workers often disregard issues of "discourse, complexity and difference" (p. 179). Caught up within the "euphoria of being a social worker and doing good," social workers avoid deep self-criticism "for fear of destroying an illusion of unanimity" (p. 180). Professional hegemony, delivered in part through the NASW *Code of Ethics*, becomes a

way of suppressing dissent. The NASW requires new members to review and “affirm” the ethics code in order to join the organization through their online website. Singularly, micropractices that encourage adherence to the establishment may be dismissed easily, but in the aggregate they work their way into self-understanding and identity. Moreover, they suppress variation and difference. For these reasons, critical assessment and questions of existing norms often develop outside of the professional establishment.

As well, the social professions are populated with persons who are motivated to care and help others. Working under the conditions of bureaucracy allows for only limited and measured expressions of care. Whereas Parsons (1968) may have seen professions as “independent artisans” organized in “associational patterns” under service ideology (p. 541), others regarded them as subsumed within bureaucracy (DiMaggio & Powell, 1983; Larson, 1977).<sup>6</sup> Weber (1946a) critiqued bureaucracy as an anti-democratic structure that facilitates social stratification and flattens social differences through regular execution of authority (p. 224). According to Gerth and Mills (1946), “Weber identifies bureaucracy with rationality, and the process of rationalization with mechanism, depersonalization, and oppressive routine. Rationality in this context is seen as adverse to personal freedom” (p. 50). Variation and innovation are not widely supported.

The calcification of rational procedure (including the conduct of professionals) within bureaucracy limits possibilities for needed change and adaptation. In describing the “flexible mind,” Zerubavel (1991) links transgression and creativity. He explains,

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<sup>6</sup> See Larson, 1977, “Profession and Bureaucracy” (pp. 178-207), for a detailed examination of professions as “technobureaucracies.”

“By practically ‘freezing’ reality, rigidity certainly inhibits change. Innovation is inherently antithetical to boundaries. ... Transgressing boundaries is a hallmark of creativity ...” (p. 117). If potential for improvement partially lies within the possibilities of people working together creatively, then rigid boundaries can be understood as obstacles to human improvement. While also acknowledging the need for boundaries and order to “protect” us from “the endless anguish generated by open-endedness,” Zerubavel (1991) simultaneously makes a case for transgression. He says:

We normally regard those who transgress boundaries as deviants, yet they might also be seen as innovators who could show us how to break away from the ossified mental cages in which we often lock ourselves and realize our creative potential. (p. 117)

These critical points begin to trouble the notion of professionals as autonomous, self-governing experts and frame professional identity as restricted and bounded in rational bureaucracy. As I further explore the experience of ethical action for those in the social professions, I connect the saliency of these restrictive structures to daily work practices including actions of risk, transgression and care within professional relationships.

### **Interactionist Approaches to Professions**

By the second half of the twentieth century, functionalist and structuralist perspectives of professions were challenged by interactionist approaches (Macdonald, 1995). Interactionist perspectives took account of human action and interaction within the tensions between structure and agency. Hence, interactionist theory draws attention to everyday work practices, routines, meanings and interpretations of professionals within

their social fields. The work of scholars like Everett Hughes gave rise to studies that focused on "... the actions and interactions of individuals and groups, how they constituted their social worlds as participants and how they constructed their careers" (Macdonald, 1995, p. 4). Shaffir and Pawluch (2003) cite Haas and Shaffir (1987):

... interactionists see socialization as a process through which neophytes learn to mount a convincing performance and to "play" the professional role with convincing competence and confidence: "Through ritual dramas, newcomers ... and professions ... adopt a symbolic-ideological and interactional cloak of competence" (p. 6). (pp. 899-900)

Within interactionist approaches to professions, inquiry shifted from asking about the structure of professions to asking questions like, "how do people become professional people?" Affiliated with the "Chicago School" of sociology, the interactionist turn directed focus toward "what professions actually do in everyday life to negotiate and maintain their special position" (Larson, 1977, p. xii).

To this point I have selected parts of Larson's (1977) empirical analysis of the "rise of professionalism" to describe how professions establish monopolies; however, her scholarship goes well beyond description of professional monopoly. Larson uses an interactionist approach to examine issues of power and describes professionals as striving to maintain position through status-driven actions. As summarized in Macdonald (1995), Larson understands dimensions of market-control (monopoly) as "interlocked with the dimensions of social prestige" (p. 11). With substantial empirical analysis of medicine, engineering and legal professions, she asserts that this monopoly/status constellation drives professional action (p. 12).

From an interactionist perspective, reality is socially constructed and “... a profession is to be understood in terms of the process by which its definition comes to be agreed upon” (Schudson, 1980, p. 218). In a review of *The Rise of Professionalism: A Sociological Analysis*, Schudson (1980) summarizes Larson’s position:

What professionals seek and gain is status. But status, for Larson, is a mirage. Typically in modern societies, professions fail to translate their status into power or autonomy. Further, professional status becomes a barrier to a just and equal society – not because professions have usurped power from clients but because the ideology of professionalism seduces professionals, and others, into believing in bourgeois institutions. (p. 219)

By focusing on the rise of *professionalism* rather than the rise of *professions*, Larson studies the organizing ideology that fixes or, at least, matters to the actions of professionals. Drawing from Freidson’s (1970) study of the medical profession, Larson (1977) describes how cognitive and normative aspects of an occupation function to both (1) secure its social status and (2) define and construct social reality. Operating within “ideologies of their own creation,” professionals circularly achieve “universal validity” through their own expertise (p. xiii). Whereas many critics of professions examine power relations between professionals and clients, Larson concentrates on the subordination of professionals in relation to the larger institutional complex of corporate capitalism” (Schudson, 1980, p. 219). Larson is “... interested only in passing in how *specific professional ideologies* control the public; her central concern is in how the *general ideology of professionalism* pacifies professionals themselves” (Schudson, 1980, p. 220). I am also interested broadly in how the ideology of professionalism has an anesthetic effect on professionals and, specifically, how it influences ethical expression and action.

Larson (1977) notes the dominance of isolation, concern for status and individualism within the ideology of professional privilege (p. 236). While socialization processes have homogenizing effects, professional ideology promotes belief in individual responsibility and self-regulation. Alliances with other workers or clients are understood as symbolic losses of social status (1977, p. 236). I quote Larson (1977) at length in the following passage because she succinctly ties ideological belief to individual action and internally generated notions of power and status:

The ideological insistence on individual aspects, the neglect of the whole, merges with specialization to confine the professional in an ideological conception of his role: the importance of narrow responsibilities is consciously and unconsciously emphasized, exaggerating the “dignity” of the functions. The dominant ideology attributes to professionals and experts special prestige as well as “moral and intellectual superiority”: sharing in this ideology, professionals can easily mystify to themselves their actual power. Moreover, they are locked into conformity with the role society offers them to play – locked in by their vocational choice, by the particular mystique of each profession, and by their whole sense of social identity. (pp. 236-237)

According to ideology, individual professionals who simply follow procedures are doing good work and, in the social professions, are contributing to the social good. If evidence of such good work manifests as professional status and reward (i.e. those who follow the rules are promoted to “higher” positions), there may not be much emphasis on examining the social good itself for evidence. Within this ideology, following the procedural rules is given more value than having a positive effect on another person’s life.

Larson's attention to the power relations between individual professionals and the ideologies and structures within which they operate resonates with my inquiry into the boundedness of ethical action. I am most concerned with the "existential oppression" (Dybicz, 2010, p. 37) that may occur when a member of a social profession feels forced to abandon authentic engagement with someone due to professional ideology, identity and normative boundaries. What sort of ethical crisis might rupture professional ideology and open consideration for the "possibility of freedom"?<sup>7</sup>

### **The Service Ideal and Progress Ideology in Professional Identity**

Professional identity is constructed, modified and reinforced in many ways. As already noted, professional schooling socializes students toward uniform understandings, knowledge, behaviors, methods and values. Furthermore, professional associations, work environments, licensing requirements, ethics codes, literature and continuing education extend socializing processes throughout one's career-life. Subjectively, one's career is a "pattern of organization of the self" (Larson, 1977, p. 229). Professional identity denotes a predetermined identity that a neophyte assumes rather than creates. Light (1980) writes:

In professional socialization, certain aspects of a person's identity and life pattern are broken down (de-socialized) so that a new identity can be built up. While the person actively participates in the process and to some degree negotiates the terms of his or her new identity, this activity serves

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<sup>7</sup> The phrase "possibility of freedom" reflects a postmodern discourse that foregrounds possibility rather than causality. It references Heidegger: "Human freedom now no longer means freedom as a property of man [sic] but *man* as a *possibility of freedom*. Human freedom is the freedom that breaks through in man and takes him up unto itself, thus making man possible" (Dybicz, 2012, p. 28).

more to coopt the person using the concepts, values, and language of those in power. (p. 327)

When a pattern of professional identity is derived from external sources, how does an individual practitioner respond to the ambiguities and complexities that arise in practice?<sup>8</sup> Specifically, what happens when professional norms do not match one's personal ethics? Do we organize by bifurcating our ethical selves into professional and citizen? In an extensive literature review that considered codes of ethics and professional identity, Doel, et al. (2010) did not find resolution. They found studies that attributed compliance with ethics code as part of the professional's "commitment to act rightly (Pattison, 2001)" (p. 1873). Other studies indicated that codes cannot replace a professional's "ethical sensitivity and individual decision-making (Yoder, 1998)" (p. 1873). While these questions and tensions resonate with the larger purpose of my study, here I want to explore ideology and subsequent tensions as part of the socialization of professional identity. Within the milieu of the social professions, like social work and education, idealistic regard for "good work" obfuscates processes of knowledge/power, social control and regulation in professional monopoly and bureaucracy.

Sociologists who study modern professions theorize the notion of "vocational calling." Weber (1950) explored the Protestant origins of "callings," which tied everyday worldly activity to religious significance (p. 80). Within various professions "vocational calling" is coupled with a "service ideal," which places "*intrinsic value*" on

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<sup>8</sup> In his meta-analysis of professional ethics, Abbott (1983) notes that belief and compliance with formal ethical codes corresponds with higher status in a given profession (p. 858). High status intragroup members are more compliant and regard lower status members, who are more likely to be frontline social workers and teachers, as "ethically questionable" (p. 862).



one's work (Larson, 1977, p. 62). The service ideal is a prominent and basic feature of many professions (Larson, 1977; Wilensky, 1964). It is what separates professionals from entrepreneurs—service and social benefit, such as health and wellness, are the substance of the work rather than profit alone. “The service ideal is the pivot around which the moral claim to professional status revolves” (Wilensky, 1964, p. 140). Shortly, I will return to the service ideal to discuss its relation to ethics codes.

A “calling” involves self-awareness of one's talents or preferences and emphasizes creative self-expression and self-realization (Larson, 1977). A vocational calling ties one's individual self-realization to the purposes of one's socially located work. Larson (1977) describes:

...[T]he notion of calling is the ethical base of the modern division of labor. Durkheim also had seen its importance: in an individualistic and atomized society, the notion of calling appeared as the necessary link between the “cult of individual” and the collective needs, characterized by increasing economic interdependence. (p. 61)

From a sociological perspective, vocational calling bridges the gap between self-interest and social need. Division of labor has an “ethical base” when professionals are “called” to serve others (i.e. the service ideal) in the interest of a social good.

Noted educator and author Parker Palmer notes that the word *vocation* is rooted in the Latin for “voice.” In *Let Your Life Speak* (2000) Palmer writes, “... we do not find our callings by conforming ourselves to some abstract moral code. We find our callings by claiming authentic selfhood, by being who we are ...” (p. 15). Palmer's advice to have us listen to an inner voice for guidance may exceed the focus of sociology.

However, a similar sentiment is found within sociological descriptions of service ideal and vocational calling. Larson (1977) remarks, “Whatever else the service orientation is in a secularized society, its ethical and motivational base must include a sense of work as self-realization and a sense of duty to one’s calling deeper than just compliance with a set of standards” (p. 62). A “deeper” sense of duty to one’s calling suggests that socialization processes and compliance with norms and codes must fit with one’s inner vocational motivations. According to Weber, poor fit may lead toward “disenchantment” – “the loss of meaning and spiritual inspiration that accompanies the rationalization process” (Lyng, 2008, p. 213). On one hand, professionalism exerts significant power and control to establish uniformity and standards. On the other hand, professionalism’s “ethical base” depends upon something deeper, perhaps more personal and abstract. Thus, the potential for tension exists between professional compliance to professional norms and individual “duty” to one’s calling. I return and explore this tension throughout my study by tracing and questioning tensions between strict adherence to ethics codes and an embodied sense of moral responsibility.

An ideology of progress influences identity among those in the social professions. The service ideal and scientific/religious/humanist overtones of progress are prevalent qualities of professional identity. In direct response to the domination (and exploitation) of liberal capitalism, early professionals often understood their work as providing a “civilizing function” to address the “... consequences of unplanned, ‘savage,’ capitalist industrialization” (Larson, 1977, p. 58). Early professionals saw their work as valuable in buffering against the harsh realities of industrialization and moving toward greater

public civility. In other words, professional identity was characterized by an ideology of progress; professionals were concerned about the unchecked advancement of class capitalism. An ideology of progress among social professionals continues to motivate and validate the meaning of their work today.

Briefly, I want to turn to the history of professionalization in social work for illustration. The fertile ground from which social work emerged included social reform and community improvement initiatives. For example, Jane Addam's Hull House and other settlement houses focused on maximizing civic engagement and support in poor and immigrant communities (Specht & Courtney, 1994). Turning community engagement into professional practice didn't occur without contestation. Some have argued that professional status interfered with helping relationships. Macdonald (1995) asserts, ". . . genuine help cannot be based on a superior, patronizing position" (p. 136). Courtney and Specht (1994) critique social work for aligning itself within a psycho-scientific paradigm of applied knowledge and abandoning a communitarian ethic of care. Freud and Krug (2002a) add, "Our search for respectable professionalism through licensure, our language of scientific knowledge, and claim to technical expertise has gradually and inadvertently led us away from our original humanistic strivings" (p. 476). While developing professional status may have provided stability, consistency and claim to a psychotherapeutic/scientific knowledge-base, the very "spirit" or "ethic" of social work may have been corrupted, or led astray, under the conditions of professionalization.

## **Summary of Sociological Perspectives on Professionalism**

Sociological descriptions of professionalism situate it within a modern, scientific paradigm and explain how capitalist markets shape knowledge and organize schooling to establish professional fields and workers. Sociological study of professions includes monopolist and functionalist theories of professional structures and addresses how ethics codes, as a part of professional structures, are understood within differing theoretical approaches. In the United States the competitive proliferation of professional fields and workers helped to propel global capitalism. According to Wallerstein (1998) and world systems theory, the professional project established services, markets and market control where previously there was none. Professionalism, then, fueled the commodification of everything, leaving “. . . no social transaction . . . intrinsically exempt from possible inclusion” (p. 16).

Functional and structural theories help us to understand the social and economic processes allowing for the rise of professionalism. Interactionist theory reveals tensions within professional ideology, identity and human agency. These include: (1) tensions between routine compliance with professional norms and the dutiful pull of one's individual, vocational calling; (2) tensions between a professional ideology of status and authority that operates within institutions to only deliver “powerless discretion” (Larson, 1977, p. 237); (3) tensions between ethics that are about social stability and ethics that are about authenticity, freedoms and possibilities. Passive obedience to codes and standards may have instrumental value for establishing and regulating uniform professional

product. However, the actual people who are subject to such professional forces inevitably experience contradictions, ambiguities and moral tensions during the course of performing professional duties.

Modern discourse regarding development of professional expertise and service depicts the professional project as a natural convergence of purpose and practice within given fields of expertise. This progress narrative tells a story of refined knowledge, research, theory, skills and infrastructure bringing the profession and the professional actor incrementally closer to efficiency of purpose in partnership with the public. Such an account of professional progress downplays the monopolistic market functions of professional organization and structures and fails to question the regulatory powers that operate upon the public and the professionals. Sociological understanding of the rise of professionalism provides a general analysis and draws attention to self-serving aspects of ethics code in the establishment of professional monopolies. Interactionist approaches that study professional ideology in contexts of identity, practice and action reveal ruptures and discontinuities<sup>9</sup> in the grand, progress narrative.

### **Professional Codes of Ethics**

Next, I shift focus to the normative features that make up professional ethics. Professions archive normative ideals, principles, standards, rules and procedures into codes of ethics (Rich, 1984; Banks, 2003). Banks (2003) defines a code of ethics as a “... document produced by a professional association, occupational regulatory body or

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<sup>9</sup> Such discontinuity is further explored in Chapter 5 where I share empirical analysis of professional social workers and teachers who have transgressed professional relationship boundaries.

other professional body with the stated aim of guiding the practitioners who are members, protecting service users and safeguarding the reputation of the profession” (p. 133).

Abbott (1983) acknowledges that ethics codes are “... the most concrete cultural form in which professions acknowledge their societal obligations” (p. 856). According to Macdonald (1995), a code of ethics is “the one thing thought to characterize a profession” besides a knowledge base (p. 167). Halliday (1987) argues that facts and knowledge must work in tandem with cultural values. Accounting for the ground upon which political mobilization between nation states and professions occurs, Halliday says that, among other things, it depends upon the profession’s “... ability to create expert authority and convert it into moral authority” (p. 54). In the case of many social professions, social science or technical knowledge/authority must incorporate normative moral authority.

For an historical example of professionalization, early twentieth century social workers combined charity (originating in religious authority) and science in pursuit of precise interventions to be delivered to indigent populations (Lubove, 1965). As services moved from community action to rationally systematized societal action, social and ethical relations within communities changed. The charitable, religiously-inspired “friendly visits” of social work became the professional, quasi-scientific practices of “social diagnosis,” and professional / public interactions became formalized (Lubove, 1965). Abbott (1995) describes the friendly visiting by the wealthy to the homes of the poor as unlike systematic charity but more of “... an outgrowth of earlier gentry-type obligations” (p. 864). The various tasks of social work existed as “independent, unconnected boundaries long before it made any sense to speak of social work as a social

entity” (1995, p. 866). One can see how “friendly visits” developed the moral foreground for “social diagnosis.” Eventually, the normative, moral predecessors become formalized into standard professional practice. The first school of social work opened in 1898, and social work was recognized as a professional field by the 1920’s (Abbott, 1995, p. 865).

Baptista (2012) addresses the “break” between “compassionate assistance” and professional work by saying that the “values of selfless dedication to others, generosity ... and mercy are part of the social memory of these professions” and represent “a precious heritage...” (p. 42). Warning against excessive technicality and “proletarianization of socio-pedagogical mission,” Baptista believes that such traditions should become “objects of critical appropriation” (p. 42).

Throughout the nineteenth and twentieth centuries formal ethics codes have been foundational for achieving professional status. Writing in the mid-1920’s, Watkins (1925/1926) defined a profession as “a means of making a living based directly upon science, carried on by a special art, and dignified by an ethical code” (p. 330). Almost forty years later Wilensky (1964) studied the social histories of eighteen occupations and included the development of formal ethics codes as a “general pattern of events” for establishing professional status (pp. 142-45). I emphasize this history to recognize formal ethics codes as fundamental mechanisms or tools for establishing “legitimate” professions. This does not negate stated ethical purposes of ethics codes; however, it does recognize the less-recognized instrumental purposes.

In most accounts, the necessity of an ethics code is tied to development and maintenance of public trust. Professional organizations work to develop public trust in

relationships where professionals wield substantial power. In his study of medical professions, Freidson (1970) understands “ethicality” as “prerequisite for being trusted to control the terms of work without taking advantage of such control” (p. 360). Balancing such delicate and volatile arrangements can be addressed by institutionalizing the social and ethical norms that constitute professional behavior. A normative relation to society that is reflected in the discourse and substance of professional ethics and codes ostensibly garners more trusting relations. Professional ethics are normative because they both reflect norms of modern society and produce norms of professional conduct.

To generate public trust in a profession and professional service, the intellect or “special” knowledge base and the morality of the professional must be accepted by the common public. Watkins (1925/1926) provides a basic description in simple terms:

As a layman he seeks professional services in order to be relieved from the mental responsibility for certain problems which he either cannot solve or does not trust himself to be able to solve. To compass his difficulties he regards some intellectual help as desirable, if not indispensable. The professional mind, however, is so far superior to his own intellectual equipment for grappling with this particular difficulty (and this is necessarily so if the professional services are to be objectively competent), and the professional art so much more perfected than his own that the client finds himself quite ignorant of the plan and purpose of what is being done in his behalf. Under these circumstances he clearly will not be much better off for having purchased these services if he cannot count upon a certain moral responsibility being assumed by the professional practitioner in addition to his intellectual responsibility. (pp. 329-330)

Watkins reflects a functional understanding of ethics codes and valorizes the “superior” status of the professional.



The ascribed value and discretionary powers of professionals must also be counterbalanced for protection of clients and promotion of trust. As a counterpart to professional autonomy, “...*professional ethics* are seen as a controlling and balancing element” (Terhart, 1998, p. 434). The weight for a counterbalance is supplied through normative codes that are inscribed as formal ethics codes.

Banks (2003) summarizes the function of ethics codes as follows:

- *Protection of clients* through explicitly stating what can be expected of a professional practitioner.
- *Guidance to practitioners* about how to act and how to make ethical decisions, either through encouraging ethical awareness and reflection or through explicit rules.
- *Enhancement of professional status*, since a code of ethics is supposed to be one of the hallmarks of a profession.
- *Creating and maintaining professional identity* through the explicit statement of the core purpose, key ethical principles, the kinds of qualities expected qualities of people who belong to this profession and the kinds of conduct required.
- *Professional regulation* through requiring members of a professional group to adhere to the code and using it for disciplinary purposes in cases of misconduct. (p. 135)

Professionals and the public alike, as good practice, accept adherence to professional norms and ethics codes for the improvement of services, protection of clients and promotion of public trust. The “insider” functions of ethics codes, regarding professional status, identity and regulation, are less known and less considered by the general public.

Analysis of codes of ethics from different professions in twenty different countries led Banks (2003) to identify five common components of contemporary codes: (1) ethical principles; (2) ethical rules; (3) principles of professional practice; (4) rules of

professional practice; (5) statements about the character/attributes of the professional (p. 134). Banks generally found that codes of ethics consisted of both rules (do's and don'ts) and principles (broad, underpinning statements). She also found that content dealt with matters of an ethical nature (e.g. human dignity) and matters of how one should practice (e.g. maintain confidentiality) (p. 134).

### **Normative Ethics**

Normative ethics codes provide rules and principles of conduct and procedure for individual professionals. Members of the American Medical Association, the first national professional medical organization in the world, wrote the original *Code of Medical Ethics* in 1847. Members dedicated themselves to “establishing uniform standards for professional education, training and conduct” (American Medical Association, n.d.). Dr. John Bell’s introduction to the 1847 American Medical Association (AMA) *Code of Ethics* identified the “moral center of the Hippocratic tradition” as focused on “the conduct of the physician-patient relationship” (Pellegrino, 1999, p. 110). Moreover, the conduct that the code upheld was modeled upon “eminent physicians” who “adorned the profession by their learning and their piety,” such as Hippocrates (Bell, 1999, p. 317). The norms that were embodied in practice by these “eminent physicians” have been instilled and regulated through professional schooling, association, work setting, literature, discourse, popular media and general public attitude.

Defenders of traditional codes of ethics, like the AMA’s, support foundationalism as stable moral truth that is part of rational enterprise. They defend moral foundationalism and its normative power. Pellegrino (1999) claims, “...medical ethics

codes derive their moral force from what is self-evident about the nature of medicine as a special kind of human activity” (p. 116). Pellegrino goes on to dismiss anti-foundational “threats” to the AMA Code. Citing postmodern threats that favor social construction or pragmatic accommodation, Pellegrino rejects what he refers to as “the new moral plasticity,” because it “robs” any code of its normative powers (p. 119).

The chairperson of the most recent NASW Code of Ethics Revision Committee, Frederic Reamer (2012), describes two types of “normative” ethics: (1) deontological and (2) teleological. Etymologically, deontological ethics are reasoned duties (Baptista, 2012). They are obligatory and “... claim that certain actions are inherently right or wrong, or good or bad, without regard for their consequences” (Reamer, 2012, p. 26). The deontological perspective manifests in ethics code as rules of conduct. For example the National Education Association (NEA) states, “The educator ... shall not intentionally expose the student to embarrassment or disparagement” (National Education Association, 1975). Banks (2003) concludes that codes of ethics might be best understood as deontological – a “set of professional duties” and rules of conduct (p. 137). She points out that what is called a “code of ethics” in English is referred to as a “code de déontologie” in French (2003, p. 134). Deontology is, perhaps, a more accurate descriptor of what ethics codes actually are. Consider another example from the NEA Code of Ethics: “In fulfillment of the obligation to the profession, the educator ... shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions” (Rich, 1984, p. 148). In its deontological form, this rule reflects principles of Western morality—“universality, rationality and constraint” (Baptista, 2012, p. 39). The

formal language of the rule is written for clarity, simplicity and certainty. It also demonstrates a telltale sign of normative ethics: the use of instructive language such as “should” or “ought to.”

Teleological ethics include utilitarianism and emphasize that “... the rightness of any action is determined by the goodness of its consequences,” or “... an action is morally right if it promotes the maximum good” (Reamer, 2012, p. 26-27). In practice, utilitarianism may show up in a negative form – minimizing harm rather than maximizing good (i.e. “do no harm”). For example, should a child remain in an abusive household or be separated from his parents? Neither option is ideal; so, which one minimizes harm the most? How much and what kind of abuse has occurred? Two types of utilitarianism— “act” utilitarianism and “rule” utilitarianism— further characterize teleological ethics. Act utilitarianism operates on the premise that *all* situations are particular and contextual. In other words, the “goodness of the consequences in *that individual case* (or act) determines the rightness of an action” (Reamer, p. 28). Rule utilitarianism disregards the particularities and context and generates rules based upon an overall likelihood of maximizing good or minimizing harm. The directives of ethics codes attempt to minimize interpretation and are often constructed as rule utilitarianism. Rule utilitarianism avoids exceptions or precedents that might “undermine clients’ and the publics’ trust in human service professionals ... limiting the human services general effectiveness as a profession” (p. 28). Rule utilitarianism is reflected in the following example from the NASW Code of Ethics:

Social workers should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation or potential harm to the client. . . . Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. (Reamer, 2012, p. 215)

In this statement practitioners are asked to anticipate “risk” and “potential harm” in their relations with clients. Risk, itself, is incompatible with rule utilitarianism. Professional codes of ethics tend to minimize moral risk (i.e. taking a chance on someone) with risk-avoidance. While others argue that *risk* and *uncertainty* are important to moral responsibility (Bauman, 1993, 1995), here, I simply want to point out how rule utilitarianism forecloses risk—potential for positive outcomes notwithstanding.

Professional codes of ethics include normative matters that may fall outside of the domain of “ethics,” and the norms of professional ethics may not always be reflected in code. Abbott (1983) reminds us that norms *can* be included in codes, but they don’t have to be. Norms also show up in the “routines” of “everyday professional life” (p. 856). After analyzing social work ethics code from various countries, Banks (2003) found that they can be rhetorical, aspirational, educational and regulatory devices (pp. 139-141). Using Banks’s framework we may classify the NASW’s prohibition on dual relationships as regulatory while requirements to “promote social justice” are aspirational. Banks illuminates how codes of ethics always exist within context of a particular profession and a particular public at a particular time. To abstract them at face value as ethical discourse in a tradition of moral philosophy disregards their presence in the world.

As well, the normative ethics of professions have been shaped through public opinion and the norms of society at large. In part, the public’s attitude and understanding

of professional ethics is informed through news media, which regularly reports on cases of exploitation and abuse by professionals, such as the 2011 Penn State sex abuse story. Shifts of public opinion and social norms can be traced in revisions of formalized ethics codes. Committees of professional peers regularly amend ethics codes, which in turn “reflect the social values or conventions of their time” (Hick, 1992, p. 375).

Normative ethics, as applied in professional code, are forms of rule-bound utilitarianism in which the maximum good and/or minimum harm is sought (Reamer, 2012, p. 27). While there may be some room for interpretations, they are rule-bound because they do not change or adapt to particular situations or contexts. The immutable rule or principle applies to the entire professional class, because any “... precedent would undermine clients’ and the public’s trust in human service professionals, particularly regarding professionals determination to protect clients from harm and exploitation, thus limiting the human services general effectiveness as a profession” (2012, p 28). Hence, normative rules, such as prohibitions on sexual contact, are ostensibly made to protect people from potential harm and to protect the general reputation of a profession—thus, maintaining public trust.

In a research study of teachers’ self-reported perceptions of ethical violations, Barrett, Casey, Visser and Headley (2012) recommend stronger codes of conduct for teachers. They fault the ethics codes of professional educational associations, such as the National Education Association (NEA)<sup>10</sup>, as being overly general and vague. They

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<sup>10</sup> The National Education Association (NEA) currently provides a Code of Ethics that was adopted in 1975. However, the NEA’s *Code of Ethics* is a brief two pages and does not have the

suggest a more “principle-based, prescriptive and enforceable code of conduct for teachers” (2012, p. 891). The authors refer to sexual harassment and intimate relationships between teachers and students as well as “misconduct” and “boundary-crossing” with social networking (e.g. Facebook) to support their case for more “prescriptive” codes. They also draw conclusions about the “internal norms” of teacher behaviors through a survey of pre-service teachers and practicing educators who were asked to score a list of behaviors for frequency and seriousness of “violation” (e.g. “Communicates socially with students on Facebook, Twitter”). They recommend a formal code of ethics and standards for teachers that are based on four “fundamental” principles: students’ personal welfare, respect for community standards, objectivity and integrity. Drawing from the American Psychological Association, Barrett et al. (2012) believe that teacher behavior needs more regulation, “both in and outside of the classroom” (p. 891). They describe, “It should include both prohibitions against certain behaviors and a set of decision rules for action when certain underlying principles appear to be in conflict” (p. 891). Claiming that teaching is “invariably” about decision-making, they suggest a formal code for guiding teachers in their decision making, regulating the practice of teaching and increasing the public’s confidence in teaching and public education (p. 896). They conclude, “It [is] the task of teachers and teacher educators to take responsibility for the difficult tasks of identifying the norms and mores of the profession, articulating standards and expectations for practitioners, and communicating these expectations to the public” (p. 896). The authors’ recommendations reasonably

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authority of a licensing body. In the U.S. each state has its own code of professional conduct for teachers.

seem to promote and stabilize essential dispositions, ways of thinking and responding within teacher decisions and practice.

Before leaving the Barrett et al. study, I want to point out that the normative principles and standards that they support are largely justified only from within the existing professional institution, which has been structured through processes of social closure. In other words, they primarily protect the interests of the profession or professionals and not necessarily the best interests of students or the public. They claim to maintain “public trust and appropriate professional relationships with students” (Barrett et al., 2012, p. 890). Maintaining public trust is a self-serving task of any profession. As well, “appropriate professional relationships,” “respect for community standards,” and professional “objectivity” do not necessarily reflect matters of ethics. Such directives may over-emphasize control and constraint while under-emphasizing compassion and courage.

Barrett et al. (2012) reflect dominant professional discourse by centering dangers and risks of involvement:

... the desire to develop close and caring relationships with those with whom we work has to be balanced by an awareness of the dangers inherent in “dual relationships,” situations in which a professional maintains a social or personal relationship with a client in addition to a professional one. Such relationships are particularly dangerous when the caring provider is an adult and the person being cared for is a child. (p. 895)

In addition to presuming all “danger” is bad and all risk should be avoided, this statement is only thinkable within a discourse that already calibrates “ethics” to situations of



predatory adults and innocent children in need of protection. The authors narrowly construe “appropriate” teacher conduct as that which does not violate; they fail to consider the ethical potentials of dual relationships.

Although ethics codes across professions have much in common, normative ethics have “immediate relevance to practice” (Reamer, 2012, p. 25) and, thus, vary from profession to profession. For example, social work’s purposes and supporting practice theories generate concern about dual relationships. Dual relationships occur when the social worker assumes a second role with a client (e.g. both social worker and friend). Because social work processes may be compromised by the social worker’s friendship with a client, dual relationships are largely prohibited. Dual relationships within other professions (i.e. teaching) may be figured and problematized differently. A dual relationship in a classroom might occur if a classroom teacher is also a family member to one of her students. Professional authorities may be concerned that bias or favoritism could interfere with her teaching duties, such as grading. In each case, normative ethics regulate and inform what conduct and relationship *should* look like in a given professional setting (and, sometimes, outside of the professional setting<sup>11</sup>).

Often, normative ethics are so firmly established within particular professional culture that acculturation occurs with little notice. Norms are taken for granted, adopted and performed without self-awareness, thought or critical reflection. Watkins (1925/1926) describes the “authority of ethical prescriptions” as an “attitude of the mind”

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<sup>11</sup> For example, some Catholic schools in the U.S. have inserted morality clauses in teacher contracts. These clauses may forbid certain teacher behaviors in their professional and *personal* lives and are justified with purposes of church doctrine (Dirks, 2014).

and “an habitual mode of thinking regarding obligations and privileges in human relationship” (p. 332). Habituated responses stifle deep questions and reflection about how one might respond to the needs of others. Normative ethics preclude individual actors grappling with the nuances of complexity (e.g. power and hegemony) and, rather, provide a standard rule of thumb – a uniform action and procedure.

Thus far, one can see from my description of professional codes of ethics that they have developed within sociological, historical and economic contexts. Rather than arriving from nowhere, ethics codes have been situated in specific contexts and conditions (e.g. second modernization or “late capitalism” for many Western cultures). As ethics, they are normative and bare resemblance to various lines of thought in moral philosophy, like deontology and teleology. However, the alignment between current forms of professional codes of ethics and current thinking in moral philosophy is askew. For example, Banks (2003) cites the late American ethics philosopher John Ladd (1918-2011) to describe moral philosophy as a “reflective critical activity” (p. 137) and to challenge code-bound ethics. Ladd describes:

[E]thics is basically an open-ended, reflective and critical intellectual activity . . . . Ethical principles can be established only as a result of deliberation and argumentation. These principles are not the kind of thing that can be settled by fiat, by agreement or by authority. To assume that they can be is to confuse ethics with law-making, rule-making, policy-making and other kinds of decision-making. (Banks, 2003, p. 137)

Considering contemporary moral philosophy, including feminist and postmodern ethics, the scholars and associations that guide professional ethics code seem to ignore or resist more pluralistic, open-ended conceptualizations of ethics.

Drawing comparison between moral philosophy and ethics code, Banks (2003) concludes that current versions of professional ethics codes are “strange documents” (p. 137). She describes them as a mix of “ideals, general ethical principals, rules of conduct, rules of professional etiquette, guidance, advice and threats of disciplinary action, which are sometimes ambiguous and contradictory” (pp. 137-138). This “strange” variety of ethics has thrived through professionalism. For the most part, moral philosophy has been distanced from professional ethics. According to Reamer (2012), “... the deliberate exploration of the relevance of moral philosophy and ethical theory to the analysis and resolution of practical ethical dilemmas” is a relatively recent development among the “major” professions (p. 25). Banks (2008) recommends deeper integration between social work ethics and moral philosophy. Because social work ethics has been drawn from within the discipline of social work, moral philosophy has only been integrated in “piecemeal and simplistic ways” (p. 1244).

In the remainder of this chapter, I bring professional ethics into closer conversation with moral philosophy and, in doing so, develop critical perspectives on professional codes of ethics. To manage this conversation within the limited space of my dissertation, I only examine two traditions in moral philosophy in relation to professional codes of ethics—Kantian deontology and feminist care. I examine Kantian deontology because, as previously noted, ethics codes are often stated in a deontological manner—as rules, duties and obligations. As well, the Kantian categorical imperative opened doors for thinking about universal ethics, rights, welfare and laws. I begin Chapter Three with consideration for feminist care ethics to juxtapose Kantian deontology against twenty-

first century feminist thought that rejects autonomous, free reason as justification for moral rules. Given that most practitioners in social professions are women<sup>12</sup>, relational care ethics are particularly relevant for thinking about care activities and emotional labor. By only addressing these two traditions in moral philosophy, I clearly leave a lot out. Most considerably, I do not address Aristotelian ethics; others (Baptista, 2012) have discussed Aristotelian ethics in relation to professional ethics.

### **Kantian Deontology and Ethics Code**

Out of Enlightenment ideology, the capacity for human reason gave rise to the potential for universal morality and norms of conduct. Kantian philosophy, through the “categorical imperative” and a rationally justified deontology, paved the way toward “universal” ethics. The possibility of a rationally justified, universal ethics has tremendous appeal to professions that promise positive social effects through scientific, rational and technical actions. Kantian ethics both produced and were a product of modernist ambitions and have been used to legitimize professional codes of ethics (Bagnall, 1998; Banks, 2003; Harris, 1994; Hick, 1998).

While Kantian deontology would seem to offer possible justification for professional ethics codes, it has brought far less certainty than was once, perhaps, imagined. The necessary purity of reason and unencumbered freedom seems to be conceptually sound only as descriptive, idealized, philosophical abstraction. In other words, it is good theory but has limited application to “in-the-world” life. Hick (1998) describes the inseparable cornerstones of Kant’s rational justification of ethics as rooted

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<sup>12</sup> For example, the founding of professional social work is attributed to two women – Jane Addams and Mary Richman.

in the human capacity to reason and the inherent property of freedom (p. 147). The application of “pure reason,” under conditions of unencumbered freedom, justifies rules of human action and *ideally* would apply to all people and “all situations in which the actions of individuals or collectivities may be seen as having a moral dimension” (Bagnall, 1998, p. 315). Such rules suggest a universal, normative legislation of human action (Bauman, 1995). However, the unreachable conditions of Kant’s categorical imperative suggest the *possibility for* rather than the *reality of* universal ethics. When does anyone exist in “unencumbered freedom”? Hick (1998) explains that “freedom” is a “necessary property of all reasonable beings to the extent of their being reasonable. The more reasonable they are, the more they are free, the more they are self-legislators or autonomous agents” (p. 147). As soon as one’s freedom is compromised by an imposed rule or imperative, one is no longer acting or thinking freely and reason is no longer “pure.” Speaking of Kant’s categorical imperative, Hick (1998) concludes:

It is only an expression of the internal structure of practical reason, *describing* the necessary actions of *purely rational* agents. If *empirical* human agents are concerned, this categorical imperative is no longer descriptive but *prescriptive* and it is this prescriptive form, demanding what should be done, that creates a problem of justification: These demands of the categorical imperative cannot, by virtue of its purely rational form, be further justified in a real world situation.... (p. 148)

Harris (1994) contends that the prescriptive form of an imperative or a maxim could meet Kantian views as long as it was formulated through rational will. Regarding professional codes of ethics, Harris adds:

The risk is that people will not puzzle out maxims for themselves and so adopt them; rather, maxims will become externalized. Professionals may see a code as absolving them from the responsibility for determining their own duty. (p. 109)

Harris makes a critical point in explaining how codes may lead to externalizing or outsourcing responsibility from individuals to governing institutions.

Wolfe (1989) further describes how modern forms of moral regulation can lead to the “withering away of civil society” (p. 13). Wolfe points out the major contradiction between modern moral autonomy and modern social organization. Neither the market nor the state with their regulatory powers “...recognize one of the very things that make liberal democrats modern: that people are capable of participating in the making of their own moral rules” (p. 12). Within free society Wolfe is concerned about the “deleterious effects of too many free riders” (p. 219) – meaning those who take “moral shortcuts” and outsource their moral responsibilities to prevailing social systems. Wolfe articulates these contradictions within modern society:

Society does not carry out our obligations to others for us, but instead creates the possibility that we can carry those obligations out ourselves. If we choose not to do so, we deny what is social about us and are left only with something resembling the state of nature. In that case, it ought not be surprising why modern liberal democrats, for all the wealth their economies have generated and stability their governments have delivered, sometimes wonder what it all means. (1989, p. 23)

Today, I suspect that few people take time to reflect on themselves as “modern liberal democrats”; however, I believe that members of the social professions often may experience the sort of existential questioning that Wolfe describes. Presumably,

members of social professions have an inner-sense of civic and moral responsibility and, yet, operate under massive regulatory regimes. In the following section, I provide context for some of Wolfe's concerns by addressing legal protections and the National Association of Social Work (NASW) *Code of Ethics*.

### **Rights, Welfare, and Legal Protections**

Adopting approaches to ethical regulation from medical professions, ethics codes of the social professions have been informed by ethical, legal, philosophical and epistemological documents and traditions. Some of these influences include Hippocratic ethics, the Nuremberg Code, malpractice or malfeasance, and scientific orientations that favor objectivity and distance (Clements, 1992; Hick, 1998; Weber, 1946b).

For example, the Nuremberg Code was established in the mid-1940's in response to egregious transgressions in human experimentation by Nazi doctors. It declared a universal human right to consent (Hick, 1998, p. 143). Consent is strongly reflected within a social work principle of "self-determination," which broadly translates to "respect for persons" and individual autonomy. Kant's rational analyses, in which he identified free will as an inherent trait of human beings (1998, p. 147), may lend justification to individual autonomy and self-determination as universal rights. However, social enforcement of individual rights manifests as rule or law from external authoritative bodies such as professional associations or government policies that have been informed through social sciences (e.g. U.S. Department of Health and Human Services, Code of Federal Regulations, Part 46 – Protection of Human Subjects).

Over time, ethics codes tend to grow longer and more prescriptive (Banks, 2003, p. 133). Expansion of ethics codes helps to calibrate professional norms with ever more clarity such that regulation and control can be achieved more precisely. The NASW *Code of Ethics* began in 1960 with fourteen broad statements; the current version has 155 “specific ethical standards” (Reamer, 2012, pp. 28-29). While some believe that the NASW *Code of Ethics* has improved with increasing “specificity” regarding “the range of acceptable and unacceptable behaviors” (Strom-Gottfried, 2000, p. 260), others express concern that technical and decontextualized, ethical standards on matters such as dual relationships limit and obscure moral responsibility (Goldstein, 1999). Nonetheless, many regard the “Code” as a necessary but insufficient guide to ethical practice (Freud & Krug, 2002a).

Once rules of professional conduct acquired legal foundations (e.g. laws pertaining to professional licensing, malpractice, malfeasance, etc.), distinctions between ethical judgment and legal compliance began to erode. Rights and conduct codified into law prompted the “reinterpretation of standards of conduct (codes of ethics) into standards of practice (legal standards for determining malpractice claims) which convert medical codes of ethics into a legalism rather than an ethics” (Clements, 1992, p. 375). In building legally codified rules of conduct and adopting legal language, the professions slowed the pulse of ethical deliberation and replaced it with efficient governance by rule and law. Rejecting modernist attempts to legislate morality, Bagnall (1998) argues that codes have taken “the morality out of individual and collective action,” and replaced it with “rule-following behavior” (p. 316). Koehn (1998) remarks, “Since legal obligations



are often of only the most minimal sort, this reduction impoverishes our ethical world” (p. 6). Mistaking professional, legal rules for morality contributes to an erosion of interpersonal responsibility for one another. Systems of legal governance expropriate decisions of ethical *responsibility* to institutional and legal systems and away from individuals. Some may argue that a legal foundation is absolutely necessary toward the pursuit of public trust and beneficent relations. Others (e.g. Bauman) claim that the potential of human-to-human encounter, left intact with all of its uncertain ethical dimensions and freedoms, is foundational to human possibility itself.

Following Kantian possibilities for universal ethics and despite the idealized individual capacity for moral conduct, state-sanctioned social institutions began to grow as regulatory forces. The establishment of modern social institutions (e.g. the legal system) as protectors of individual rights and welfare is a paradoxical twist on Kant’s philosophy. Bauman (1993) writes:

The only way in which individual freedom could have morally positive consequences is (in practice, if not in theory) to surrender that freedom to the heteronomously set standards; to cede to socially approved agencies the right to decide what is good and submit to their verdicts. This means, in a nutshell, to replace morality with legal code, and to shape ethics after the pattern of Law. (p. 29)

Indeed, legal and ethical codes have *alleviated* us from or *robbed* us of individual freedoms to face the responsibilities that we may feel for one another. In doing so, they have reduced space for being together and discouraged uncertain ethical engagement by replacing individual responsibility and engagement with rules, personal withdrawal and rational procedure. A common example of this may be understood by anyone who has

been approached on the street by someone asking for money. Dozens of cautionary thoughts rush through our heads—“Is this person ‘for real’? How will he spend the money? Shouldn’t he go to housing services for help?” Yet, we may also feel compelled to be present with the person in front of us, to engage in the uncertainty of what to do rather than shrinking from him by classifying him as a social problem deserving of social assistance. In Chapter Three, I further consider our ethical responses and responsibilities to each other and how they are affected by the technological mechanics of our social institutions as encountered in “professional” processes and structures. I begin Chapter Three by describing forms of care in technological society and introduce thinking behind an “ethics of care.”

### **Summary**

In this chapter I have broadly explored major sociological perspectives of the rise of professionalism and specifically professional codes of ethics. Where possible, I focused on professional relationships and boundaries within contexts of social professions. Major sociological contributions included monopolistic, functional and interactionist perspectives of professions and professionalism. Social professions have adopted and generated normative ethics, which have been codified and have developed legal standing. Despite idealistic justification through Kantian deontology and the possibility of universal ethics, the regulation and enforcement of professional ethics undermines morality and individual ethical responsibility. Feminist care ethics offer theoretical alternatives to normative ethical rules and provide important critiques of power, hierarchy, rationalism and individualism. I elaborate upon care ethics and

postmodern ethics as more open, more responsive alternatives to deontological or teleological ethics in the remaining chapters.

I titled this chapter “Bound by Code: Sociological and Philosophical Perspectives of Professions.” Medical doctors used to engender trust and affirm their ethicality by declaring an individual oath. In fact, the “word *profession* is literally Latin for ‘bound by oath’” (Baker et al., 1999, p. xiii). No longer “bound by oath,” professionals are now bound by socialization and code. To be “bound by code” signifies how professions developed and proliferated as distinct fields and jurisdictions, which were each bound together within a knowledge base and normative ethics. Professions achieved uniformity of product, market monopolies and a degree of public trust within the bindings of normative ethics. They also established regulatory mechanisms with legal powers to enforce normative behaviors. Moreover, to be “bound by code” signifies how professional discourse determines what is thinkable. Articulated as “ethics,” these norms constrain and restrict ethical possibility within relationships between professional actors and those with whom they interact. In the spectral questions that lace throughout the remaining chapters of this dissertation, I ask, “*What are the consequences of restricted ethical possibility for professional agents?*” and “*How do professionals experience potential friction between professional identity and human encounters that are emotionally charged, laden with complexity, and rich with possibility.*”

## CHAPTER III

### UNSETTLING PROFESSIONALISM: CHALLENGING NORMATIVE CODE AND IMAGINING ETHICAL POSSIBILITIES

To think of ethics, service ideals or the “calling” of social professions as expressed through *care* may help to move my study from a place of vague abstraction to a place of everyday familiarity. Care has become both a philosophical and sociological area of study. Although a complex philosophical and sociological concept, most people have experienced care from and care about friends, family members, companion animals and other living (and nonliving) things.

Many traditions of moral philosophy have been faulted for narrowly masculine, individualistic and autonomous orientations. Rorty (1999) states that the major flaw of traditional moral philosophy is the “myth of the self as nonrelational” (p. 77). Feminist perspectives offer alternative conceptualizations by taking up social difference and social relation as salient to ethics (Clifford, 2002). Much of the thinking from feminist perspectives has developed into a body of scholarship known as “care ethics” (Noddings, 1984; Koehn, 1998). I begin this chapter by exploring care ethics. Care ethics is relevant to my dissertation study because it locates “care” as ethical practice and helps to demonstrate how care has been expropriated and commodified in capitalistic, technological society. Hence, it follows a theme of my study that questions the ethicality

of codified, market-oriented ethics. I briefly draw upon Koehn (1998) to outline differences between care ethics and normative, deontological ethics. Then, I explore how care may be leveraged and distorted in capitalistic, technological society and how “caring” has been reconfigured into impersonal technology through professionalism. In the latter part of this chapter I share alternative ways of defining and thinking about ethics against the professional conceptualizations that I have already described. I briefly discuss cognitive ethics and legal protections followed by a more detailed examination of postmodern ethics. I discuss Bauman, Levinas and Foucault as major figures contributing to postmodern ethical possibilities. By disclosing professional ethics’ close relationship to market transactions and by demonstrating the narrow shape of professional ethics in relation to alternatives provided by care ethics and postmodern ethics, I establish broad support for my claim that modern ethics codes (i.e. professional ethics) restrict ethical possibilities in a social field of one-to-one relationship.

### **Care Ethics, Professional Care, and Technological Society**

#### **Care Ethics**

Koehn (1998) reviews literature from care ethics and summarizes characteristics that distinguish care as a form of ethics. These include:

- The relational self, rather than the individual moral agent (e.g. professional)
- Elevated concern for vulnerable populations (akin to the concerns of social professions)
- The political or public significance of intimate, caring relationship (as opposed to distant objectivity)

- Valuation of difference, rather than consistency or universalism
- Imaginative and contextual communication (as opposed to scripted, standard procedure)
- The significance of power differentials in society (including examination of professional powers)

Each of these characteristics of care ethics enables us to call into question uniform principles and undifferentiated rules that professional ethics code attempts to achieve. For example, care ethicists recognize bi-directionality and mutuality in human relationship (Alexander & Charles, 2009; Koehn, 1998). They implicitly challenge the notion of “relationship boundaries” as an attempt to impede reciprocity and diminish full relational potential.

Skeptical of thinking that depicts the arrival of ethics through an autonomous, rational individual with expert knowledge, care ethicists consider ethics within uncertain practices of care, trust, mutuality, and dialogue (Alexander & Charles, 2009; Clifford, 2002; Koehn, 1998; Lerman & Porter, 1990; Noddings, 1984). Inclusion of female voices, experiences and perspectives opens ethical discourse to new ideas about what counts as “ethics.” Attention to situational caring, mutual relation and dialogue differs from an ethics where universal rules or laws are applied to unique situations (Koehn, 1998, p. 21). Feminist care ethics are also attuned to the protection of vulnerable people and the social structures and dynamics that enable abuses of power (Koehn, 1998). Hence, a feminist critical assessment of professional power may lead to a more rigorous analysis of what, if anything, is ethical about professionalism. Furthermore, women

perform most of the work involved in social professions. Ways of knowing and ethical practices that have been informed by the women who do the work potentially strengthen connections between knowledge, theory and practice.

Many people understand the principled and prohibitive nature of professional ethics codes as part of a progressive agenda to protect the dignity and rights of the most vulnerable populations (including women, children, minorities and poor people). Increased regulation and specificity in professional ethics codes can be understood as correcting historical abuses (e.g. forced sterilization, euthanasia, medical research experiments, sexual violations) that have harmed the most vulnerable people. As described in the previous chapter, development of public trust and regulation of professional power is *part* of the rationale for how professional ethics developed. Sharing with feminist ethics, professional ethics also centers vulnerable and marginalized people (Koehn, 1998, p. 9). For example, the NASW *Code of Ethics* (1996) “requires” social workers to “act to prevent and eliminate domination of, exploitation of and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability” (Brill, 2001, p. 233). One’s professional duty, then, includes actively advocating and collaborating with marginalized groups to prevent or rectify harms that may result from power differentials. These common areas of concern demonstrate shared ground between professional and feminist articulations of ethics (Koehn, 1998; Lerman & Porter, 1990).

Attempting to distinguish an ethics of care from code or principle-based ethics, Noddings (1984) states:

What we do depends not upon rules, or at least not wholly on rules – not upon a prior determination of what is fair and equitable – but upon a constellation of conditions that is viewed through both the eyes of the one-caring and the eyes of the cared for. By and large, we do not say with any conviction that a person cares if that person acts routinely according to some fixed rule. (p. 13)

Accordingly, professional commitments involve purposes and principles that precede actual encounter with someone. Koehn (1998) cites Graham (1983) to describe professional care as “tending” – “a kind of ‘domestic labour performed on people’” (p. 25). Professional “care” differs from an ethics of care, which is described as “... an affective stance in which both the care-giver and the cared-for put themselves at risk as part of a process of committing to the forging of a shared self” (p. 25). Drawing primarily from Gilligan and Noddings, Koehn (1998) summarizes “care” as “... being attentive to another’s well-being and of being willing to act to promote it. ...an active, interpersonal, mutual reciprocity” (p. 24).

Many ways of sharing and reciprocating with clients, students or community members are subdued by professional guidelines and practice theory (Alexander & Charles, 2009). Within social professions, restricting dual relationships and marking relationship boundaries are justified for preserving “therapeutic efficacy,” avoiding potential for harm or conflicts of interest, and maintaining “objectivity” (2009, p. 7). Since I have excluded clinical and therapeutic professions from my use of the term “social professions,” I will not explore therapeutic efficacy or concerns related to



transference and countertransference. However, it is worth noting that some clinicians and therapists (frequently women) have challenged the necessity of rigid boundaries even within therapeutic practice (Greenspan, 1993; Heywood, 1993; Lerman & Porter, 1990). In fact, a collective of therapists called The Feminist Therapy Institute developed its own ethics code in the late 1980's (Lerman & Porter, 1990). Within their version of a feminist ethics code, "overlapping relationships" are specifically addressed.<sup>13</sup> While prohibition of sexual contact and concern for confidentiality are explicitly stated, the Feminist Therapy Ethics Code (1987) provides flexibility for the therapist to determine whether or not to engage in dual or overlapping relationships. It further acknowledges power differentials and the therapist's responsibility for "...monitoring such relationships to prevent potential abuse of or harm to the client" (1990, p. 40). "Peer consultation groups" are recommended for the purpose of monitoring misuse of power (1990, p. 58). In part, such flexibility is afforded in order to recognize ethics on a continuum and acknowledge the potential harm of "distant, uninvolved therapist-client relationships" (1990, p. 7).

In her book, *When Boundaries Betray Us: Beyond Illusions of What is Ethical in Therapy and Life*, Heywood (1993) shares her stirring account of being in therapy. She describes how boundaries held up by her therapist (and the codes of her therapist's profession) were abusive and dehumanizing to both her and her therapist. Heywood defines "abusive" as "... withholding intimacy and authentic emotional connection from those who seek our help" (p. 10). Heywood continues,

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<sup>13</sup> See Lerman & Porter (1990), Section Three – "The Problems of Overlapping Relationships," pp. 83-110.

For ‘abuse’ is not simply a matter of touching people wrongly. It is, as basically, a failure to make right-relation, a refusal to touch people rightly. We as professionals – indeed, we as people on this planet – are likely to destroy one another and ourselves by holding tightly to prescribed role definitions as we are by active intrusion and violation. (1993, p. 10)

Struggling to maintain professional conduct, Heywood’s therapist resisted their emergent bond and friendship over many months. While following proper professional behavior, it is clear from Heywood’s narrative that the situation denied mutual relation, moral responsibility and oppressed the full humanity of the two individuals involved. The distancing principle, in effect, caused harm.

Despite the attempts of some to unhinge principles from care ethics, Koehn (1998) finds that professional ethics and feminist ethics are both informed by principles that are rooted in contextual purposes. As professional ethics derive norms from the character of a particular goal (e.g. education, mental health, safe housing), feminist ethics also “... derive guidelines for action from the character or essence of a single activity or virtue” (e.g. care or trust) (p. 10). Thus, according to Koehn, care ethicists remain connected to guiding principles, because they characterize certain situations as purposefully calling for care or trust just as professions derive norms of practice dependent upon the “purpose” of the profession (1998, p. 14). This is an important point for Koehn’s “rethinking” of feminist ethics, because care ethicists, such as Noddings, generally disassociate ethics from the practice of imposing unified principles onto unique situations. While the meaning of care and the conditions that call for care may not be completely de-coupled from purposes and principles, a care ethic does clear space for a

more emergent, dynamic, relational process. Therein lies a difference between an ethics of care and a professional or “male” ethics. Koehn (1998) states, “The caring self is far more dynamic than in those ‘male’ ethics which view the self as a static locus of rational agency bound by duties grounded in the idea of rational agency as such” (p. 26). Koehn continues to critique care ethics for lacking regulatory and legal capacities and reconceptualizes them into “dialogic” ethics. According to Koehn, dialogic ethics preserve the concerns of feminist care ethicists (e.g. attention to power dynamics and concern for the vulnerable) in a more practical, pluralistic and open way (1998, p. 18). While Koehn’s dialogic ethics may contribute to professional ethics in interesting ways, it is not within the scope of my dissertation study to further describe or include them here.

Allowance for more fluid and situationally responsive relationship boundaries has clear benefits according to some within the social professions. In making a case for the ethics of dual relationships, Tomm (1993) carefully delineates differences between exploitation, duality and complexity. He remarks, “While dual relationships always introduce greater complexity, they are not inherently exploitative. Indeed, the additional human connectedness through a dual relationship is far more likely to be affirming, reassuring and enriching, than exploitative” (p. 48). Approaches to ethics that center care, reciprocity and relation preserve complexity rather than legislate simplicity through elimination of dual relationships (Alexander & Charles, 2009, p. 9).

Another line of thought from feminist ethicists probes the architecture of professionalized relationships for supporting and constructing opportunities for abusive

situations. Accordingly, professional relationships that are built upon distance, objectivity and neutrality maintain an unequal, authoritarian position of power and preserve a patriarchal architecture of violence and abuse. Dietz and Thompson (2004) cite a number of challenges to the “distance model as maintaining the oppression of women by instituting a hierarchical relationship between professional and client” (p. 9). Tomm (1993) suggests that a web of connection found in dual relationships is more “protective” than a distant, unfamiliar, professional relation because it tends “... to *reduce space* for exclusion practices, for covert manipulation, for deception, and for special privilege” (p. 52).

Feminist therapist Miriam Greenspan (1993) critiques, “[Professionalism] is an entire hierarchical system of value, status, and, ultimately, of power. A system of privilege locks this whole tragic drama into place” (p. 201). She substantiates:

[A]ll professionals are trained in a system and an ethic that emphasizes distance, neutrality, and ‘boundaries’ at the expense of *person-to-person connection* and interrelatedness. ... What I mean by *person-to-person connection* is building an authentic bond between the two persons. . . . (p. 196)

Thus, some feminist ethicists indict the hierarchical posts and beams of professionalism for being forged within patriarchal systems. Within systems of domination and control, the enforcement of rigid roles (which are attached to positional power and authority) sets up conditions that are conducive to abuse and exploitation.

## **Professional Care**

Disciplinary societies and societies of control make care and situationally responsive ethics difficult, because social professionals "...find themselves constrained by politics and markets..." (Campillo, Sáez & Sánchez, 2014, p. 13). Offering uniform and unbiased services, professionals perform under a "neutral standard" where "positive valuations of care ... have no place" (Dybicz, 2012, p. 278). However, different critical approaches to professional practice—often catalogued under postmodern or feminist labels—may push care and expertise together in supplementary form (2012, p. 278). Such arrangements hope to fashion a professional agent as a "relational self" who maintains authentic "concern for the vulnerable" and a critical consciousness of power relations (Koehn, 1998). Clifford (2002) believes that a contemporary feminist ethic can provide a "moral and epistemological framework for practice in the social professions" by maintaining sensitivity toward "issues of personal caring, social justice, and multiple social difference" (p. 39). He concludes, "It is capable of appreciating the postmodern insight into uncertainty and complex differences, yet is also indicates a way forward that permits the professional development of practice in situations of serious need and vulnerability..." (p. 39).

Understanding the professional subject as "relational" helps one to recognize the fundamental bi-directionality of human interaction. Human relationships are by their very nature two-way and interactive (Alexander & Charles, 2009, p. 10). Within the school setting, Lysaker and Furuness (2011) observe that care cannot be unidirectional but requires teachers to "create environments of trust and reciprocity" in order to make

“the acceptance of care” by students possible (p. 188-189). Alexander and Charles (2009) flip the script of helper and helped by gathering qualitative material on social workers’ experience of receiving care from their clients. They conclude their examination of care, mutuality and reciprocity in social worker-client relationships with the following remarks on ethical practice:

While the professionalization of social work practice and relationships is meant to provide standards for ethical behavior, the findings of this study indicate that a professionalized approach to human relationships may be unethical for both social workers and their clients. A rigid, standardized and non-personal approach to engaging with people while attempting to support their development belies a message of inequality and is ultimately patronizing and disrespectful. This standard, or one-way approach, implies that people who are clients (in this moment) are incapable of determining or creating the kind of relationships they want or making a significant contribution to our life experience. In the professionalized context, we hesitate to embrace the meaningful impact their care, strengths and vulnerabilities have on our lives. (p. 19)

Regarding the promotion of caring relationship, Alexander and Charles (2009) find ruptures and contradictions within the microcosm of professional social work practice.

Professional ethics may be thought of as contributing to *technologies of care* by brokering the trust that is needed to “disembed” care from families and communities and relocate it in consumable, professional services. Drawing from Illich and Giddens, Smart (1999) describes this modern transaction:

Social relations are abstracted from their local setting, lifted out or “disembedded” and then rearticulated “across indefinite spans of time-space” ([Giddens]1990: 21). ...[I]ndividuals have become more and more reliant on experts and professionals, have been increasingly constituted as clients or consumers of professionally organized and produced systems, services and commodities (Illich, 1978, 1985). These systems of

professional expertise on which we rely, to which we are subject, and in which we are inclined to trust, until further notice, until that is increased risk-awareness, itself often triggered by expert systems, occasions doubt and uncertainty, constitute one of the two forms of “disembedding mechanism” analysed by Giddens .... (p. 6)

As professional ethics regulate practice and garner public trust, forms of care can be disembedded from non-monetized transactions and introduced to the market. Smart (1999) summarizes that “trust invested realizes security as its dividend” (p. 7). However, these securities also come with risks. Exploitative or abusive action recalls trust and reminds us that modern, technological society is full of risk (Smart, 1999, pp. 7-8). During acute times of public anxiety, professional associations double-down efforts to recapture public trust through more regulation and potentially expanded, more specific varieties of ethics code.

Through “disembedding mechanisms” and commodification of care, learning to care not only occurs through interactions in the home, family or community but also through professional training. By learning to care through professional schooling and credentialing processes, emotional labor contributes to a billable supply of social care. As a consumable service, external provisions of care are limited by “the absence of the emotional immediacy proper to care in the familial context” (González & Iffland, 2014, p. 7). In a familial context emotional bonds and attitudes of concern constitute *caring about* (p. 3). Care technologies supplied through professional enterprise may achieve *caring for*, actions aimed toward diminishing objective obstacles to well-being (p. 3), but the subjectivity of *caring about* may be more difficult to achieve. Social problems like family abuse and neglect make it clear that the familial context does not necessarily make

for “better” care. In fact, professional standards and practices of care also influence family norms. For example, professional child welfare prohibitions on corporeal punishment also filter into family sociocultural norms of parenting.

Hugman (2014) raises important questions about professionalizing care. He asks:

...[I]nsofar as we accept the idea that these professions integrate caring about and caring for (which is also itself a moral claim), to what extent is it relevant to look to an ethical concept such as commitment to service as the basis for professionals? (p. 176)

Koehn also regards particular service goods and commitments (justice, education, health, well-being, etc.) as the “moral purpose” of social professions (Hugman, 2014, p. 177).

However, the technologizing of care includes the possibility of impersonal professional duties and roles (Blum, 1990). Citing Graham, Koehn (1998) suggests that the “principled attention” associated with professional roles easily denigrates “into ‘tending,’ a kind of ‘domestic labour performed on people’” (p. 25). Hugman (2014) summarizes the “irony” of professionalizing care:

To be seen as competent, informal carers may be judged against standards that suggest a shift toward professionalization, while to be caring, professionals may be judged against the ethics of close informal social relationships. Yet this irony is exposed by the importance of both the close informed relationships that characterize the former and the trained and ethically accountable professionalism of the latter. ... The challenge is for professionals and informal carers to work with the contradictions that emerge from this set of social expectations. (p. 190)

Writing about vocation and moral psychology, Blum (1990) compares vocational caring with friendship caring. First, he distinguishes “vocation” from professional “role.”



According to Blum, vocation reflects a calling that is value-laden and personally meaningful to the vocational agent. The “moral pull” of a vocation is implicated in the individual’s sense of personal values. Roles, however, do not necessarily reflect the individual occupant’s sense of personal value. “This is why the moral pull exerted by role obligations as a moral requirement of the *position* can be experienced entirely as external to the person” (p. 180). Whether one’s motivation is personal (related to internal values and ideals) or impersonal (values and ideals applied from an external source) is significant to Blum’s description of vocational caring. In the personal/impersonal framework of moral psychology, personal motivation for action (e.g. benefit to self) would qualify as non-moral, while impersonal motivation (e.g. altruism or universal moral rule) would qualify as moral. Blum argues that a large range of motivation and action falls outside of this binary framework (1990, p. 174). He claims that the *vocational agent* is sensitive to the external commitments and practices of her profession (impersonal moralities) but also has room to interpret or express them personally (p. 180). Finally, Blum states that friendship care is also neither personal nor impersonal. Social norms of friendship (e.g. loyalty) combine with individual intimacy and trust (p. 183). Likewise, in vocational care, a teacher may act with sensitivity to his vocational commitments while also responding directly to his unique student “without consulting the norms of his vocation to see what they prescribe” (p. 183). Thus, Blum concludes that the ethics of care in professional relations may be more comparable to the ethics of care in personal relations than many who adhere to the personal/impersonal binary have allowed.

## **Technological Society**

The broader tensions of technological society are felt in the pull between responsible authorities and individual responsibilities. Do we relieve ourselves of these contradictions by withdrawal and deference—solving problems with convenient, pre-established answers? Or, do we risk ambiguous, uncertain engagement with our questions and implied responsibilities? Wolfe (1989) addresses the question, “Are we rule followers or rule makers?” He describes “social-scientific approaches to moral obligation” as committed to modern notions requiring “rules that regulate people’s interaction with one another.” He continues to describe difference of thought as to whether “rules ought to guide choices or choices, rules” (p. 226). Wolfe explains, “Markets and states reach their limits as moral codes for modern liberal democrats because they assume that moral obligation lies in rules rather than in the people whose behavior they will govern” (p. 227).

With an eye on ambivalence in late-modern society, Bauman (1993) responds to Wolfe’s inquiry by describing the existential consequences of rule-dependency on individuals:

Relying on the rules has become a habit, and without the fatigues we feel naked and helpless. Upon the return from the world ‘out there’ in which others took (or assured us that they have taken) responsibility for all our works, the now unfamiliar responsibility is, for the lack of habit, not easy to bear. All too often it leaves a bitter after-taste and only adds to our uncertainty. We miss responsibility badly when it is denied to us, but once we get it back it feels like a burden too heavy to carry alone. And so now we miss what we resented before: an authority stronger than us, one which we can trust or must obey, one which can vouch for the propriety of our choices and thus, at least, share some of our ‘excessive’ responsibility. (p. 20)

This *ambivalence* is palpable in the daily work of teachers whose care is misdirected toward administering tests, keeping records and implementing approved curricular programs while looking for moments to connect with students in ways that reflect meaningful vocation. In an ethnographic study, Brodwin (2013) shares articulations of “futility” from frontline community psychiatric social workers and describes them as feeling “demoralized” (pp. 69-70). Ambivalence takes hold as apprehension and indifference in “minefields” of “do’s and don’ts”. Smart (1999) claims that ambivalence is a “product of the modern pursuit of order” and describes “existential and mental ambivalence” as regular experience of modern life (p. 6). In a world of ordered relations, what happens when a stranger asking for money interrupts one’s walk to a local restaurant? For myself, I often feel ambivalent. Give a few dollars or don’t; it doesn’t really matter. There are homeless shelters and housing programs that are “better” able to deal with it.

Describing how technology “colonizes” our “experiences, opinions, emotions, and consciousness,” Stivers (2004) states:

Insensibility to another’s plight or even my own means that I analytically search for the causes of the misfortune and what remedies there are for it, instead of responding intuitively, emotionally, and with moral judgment. In so doing we “deaden” ourselves against suffering and become indifferent to others even though we may urge political action or contribute to charity. (p. 23)

Under a rational-technological paradigm we quickly sweep moments of face-to-face presence and unplanned interpersonal openness to the periphery. With any luck we can

leave it there and quickly return to our personal lives. If we cannot, we must be careful, or secretive, or, perhaps, even a bit rebellious in our responses.

As various twentieth century philosophers (e.g. Heidegger and Foucault) have observed, “the modern world and modern technology ... produce a different kind of subject—a subject who does not simply objectify and dominate the world through technology, but who is constituted by this technology (Dreyfus, 2002)” (Besley, 2007, p. 57). Procedural rationality through technology is the understanding and order of *being*. When technologies and techniques are applied to people, human relationships are made “abstract and impersonal” (Stivers, 2004, p. 17). Stivers (2004) explains, “As a rational, objective method, technique turns the object of technique into an abstraction ... [a] standardized product” (p. 17). When students or clients are turned into standardized products, new forms of alienation are produced through the “material relations between persons” and the professional’s “estranged labour” (Marx, 1978). In other words, the professional becomes separated from an essential aspect of labor—personal relation to the product (or service user). One’s labor does not satisfy an ethical responsibility but merely creates the means for satisfying a responsibility that is external to it.

Specifically, social professionals—whose identity has been formally socialized with modern ideologies and whose actions are informed by rational, scientific processes—are subjects constituted by the technologies they enact. Professional ethics code helps to normalize organizational and psychological technique. Organizationally, ethics code helps secure vocational jurisdiction for a given profession, protects the territory with a service mission and expert knowledge and provides an appearance of

security. Psychologically and interpersonally, ethics code works upon professional practitioners and clients alike to set the requirements and limits of relationship. With urgency, Stivers (2004) remarks, “The proliferation of techniques for relating to others is unrelenting. ... Technique is being applied to every human relationship...” (p. 17). According to Smart (1999), “Where official discourse constitutes the ‘client’ and/or the ‘consumer’ as sovereign, ‘persons’ become vulnerable to being treated as objects of disregard” (p. 4). We should remember that professionals are also “constituted” in this system that can be totalizing in its disregard for individual persons. This is more than curious given the rhetoric of care, autonomy and justice that social professions use.

### **Ethics in a Technological Society: Procedures, Limits, Choices, and Legal Rights**

In this section, I argue that naming and treating codified laws and professional rules as “ethics” contributes to an erosion of interpersonal responsibility for each other. When codified, systematized and mediated through professional and legal institutions, rules called “ethics” address the people (i.e. whole populations) who are subject to those rules. As such, they function to move freedom and responsibility away from persons and onto governing institutions. Ethical matters become simplified for persons in that a person is accountable only for adherence to implicit norms and explicit rules. In theory, this frees individual persons from burdensome responsibilities (e.g. their moral freedoms) so they can “get on” with the business of being productive participants in global economic commerce.

### **Procedures: Bauman's Adiaphoric Social Action**

Bauman (1995) applies the term “procedural rationality” to “action directed by a codified reason of rules” (p. 259). Troubling the consequences of “procedural rationality,” he argues that it dehumanizes and renders interaction “totally *impersonal*” (p. 259). Bauman explains, “No more of the self tends to be deployed in the encounter than the topic-at-hand demands; and no more of the other is highlighted than the topic-at-hand permits” (p. 50). Void of presence and togetherness, the potential for mutual relation and moral responsiveness is lost when ethics gets reduced to following rules. Professionals—teachers or social workers—are *not* expected to act from moral consciousness and are officially held accountable only for following correct procedure. Bauman (1991) describes adiaphoric social action as “... neither good nor evil, measurable against technical (purpose-oriented or procedural), but not moral values” (p. 144). Adiaphorizing action results in compulsion to make the rules more specific and more clear, to reduce ambiguity and to achieve predictable outcomes by decisively following “the book” (Bauman, 2000, p. 10). Predictable, stable ground provides fertile soil for professional enterprise.

### **Limits: Koehn's Liberating Limits**

In a culture that too rarely questions individualism, should we not also ask, “Why should the development of the moral person hold priority over the collective well-being of a people or a population?” Exercising protections of a people or upholding absolute principles to establish rights may also open ethical possibilities. Koehn (1998) explains:

...[A]lthough we should be sensitive to the way in which our principles lead us to foreclose possibilities, we also must recognize the peculiar and important power of principles to set liberating limits. Principles enunciating absolute prohibitions can open up, as well as close possibilities. For example, the language of absolute, inalienable rights has been instrumental in allowing persons to oppose tyrannical governments or persons and in placing limits on what agents legitimately may do out of loyalty to their ethnic group or race. (p. 14)

While some may comply with legally granted rights by shrinking away from others or passively following the rules, the idea of “liberating limits” reminds us of the possibilities that are generated with new political rights—when new social space is inhabited and new relations form. Traditional moral philosophy frequently questions moral life through individual agents while failing to address the moral through collective politics.

Nonetheless, we know that the political and ethical are deeply intertwined when practiced in the world. Banks (2008) encourages more conscious linkages between professional ethics and politics, since “the ethical judgment and decision making of individual professionals cannot be abstracted” from political and policy contexts (p. 1244).

### **Choices: Cognitive Ethics**

Dawson (1994) critiques normative ethics and rules as “unethical.” Positing ethics as a reflective critical activity, he suggests that codified ethics are antithetical to the very meaning of ethics, which locates situationally sensitive, flexible and subjective forms of behavior in individual cognition. More than semantic juggling, professional practice that lacks room for subjective ethics and, rather, operates from duty, policy, rule or law can forthrightly be construed as unethical. Dawson (1994) argues that professionals who follow pre-established rules rather than respond to individual people

and context will be “desensitized to the morally relevant factors,” resulting in truncated moral development and the loss of ethics (p. 153). “Cognitivism,” writes Dawson, emphasizes the moral agent as “always responsive to the situation, or perpetually learning. On this view being a moral agent is a constant striving for flexibility and sensitivity ...” (p. 153). New situations may confound the scope and relevancy of the rules. Dawson (1994) argues that a “code of practice can never be rich enough to provide guidance in all situations, perhaps because there are so many ethically relevant factors to take into account” (p. 148). To extend Dawson’s statement, each situation is, perhaps, a *unique* constellation of relevant factors. Different people, different timing, differing motivations, commitments and power relations throw into question (if not crisis) professional duty and generalized rule.

Responding to such concerns, Dawson (1994) favors an “inside out” approach to professional ethics rather than an “outside in” approach. An “outside in” approach removes the ethical domain from an individual agent and relocates it to an authoritative body or association (as the legal system does). An “outside in” arrangement serves the interests of public trust by safeguarding professional conduct. Furthermore, an “outside in” approach has been crafted toward a technical, managerial, efficiency model of social professions wherein management often overshadows mission and purpose. Thus, it supplants individual motivations and ethical interests of teachers and social workers and replaces them with a fiat of procedure.

Citing McDowell (1979), Dawson locates ethics in the capacities of individuals. Thus, “ethical conduct is generated from the ‘inside out’. ... This capacity is not



something like an instinct, but an ability which can be learned and developed ...” (1994, p. 150). Referring to this as a “cognitivist” approach derived from Aristotelian virtue ethics, Dawson describes:

Ethical conduct is seen as the product of the character of the agent, in being able to see that something must be done. Such a view naturally requires a response to the particularities of the situation, rather than the rigid following of rules. (1994, p. 150)

As a dynamic element in situation, the professional agent does not have special ethical status but, rather, understands ethical action by using her experience, being “open to new experience, advice and criticism” and receiving “new ideas, and clients’ and colleagues’ attitudes and opinions. ... The idea of moral agency becomes a radically dynamic one, an active seeking of the most appropriate action for those particular circumstances” (Dawson, 1994, p. 151). Although Dawson refers to this approach as “inside out,” I do not see it as truly “inside out.” Rather, it is a social process involving bi-directionality, reflexivity and responsiveness—a transactional loop rather than a line from the inside directed outward.

Where does Dawson’s view of ethics leave the legal system or any formal social system of human conduct and duty? Seemingly, “cognitivism” just reminds us of the difficult divide between civil rules and individual ethics. If professions are intermediary institutions between individuals and the state or market, how can they reflect positions from each side of the divide?

## **Legal Rights: Ethics as Protective**

Legal systems are outcomes of social process—slow and incremental in development but also capable of acting swiftly and decisively. Perhaps codified protections and rights are not incompatible with subjective or cognitivist ethics. While legal, governing systems are tools for enforcing rights and principles, they coexist with situational exchange between persons. Protected legal rights should not be abandoned; however, we need to recognize that they are only heuristics. Although often treated as “ends” in a system that is rationally organized, legal rights require thoughtful engagement through social processes in order to provide a platform for ethics. Perhaps we have misunderstood “rights” as guaranteed ends rather than opportunities to engage in social life. Or, perhaps rights are fundamentally antithetical to ethics.

I see rights as openings for engagement in social life. Legal rights and rules are instrumental first steps toward unrealized potentials—potential for full participation in society or the realization of “respect for persons,” for example. Once rights and protections are established and integrated into policies, they implicitly encourage individuals to sidestep the ambiguity and uncertainty of engaging with others, of *being with* difference. As Dawson (1994) argues, this redirection “truncates” individual “moral development” (p. 153). Rules and codes of “ethical” behavior mark shortcuts to bypass or, at best, clarify the messiness of particular situations. Greenspan (1993) remarks that codes contribute to an “ethical system that in many ways encourages professionals to be moral bystanders” (p. 205). However, sometimes circumstances are so egregious and unjust that there is no time to reflect on relationships and ethical behavior. Civil society

requires the safety and protection of people; law promises swift action to correct malicious and illegal acts. Nonetheless, shortcuts may not always offer the best way forward when considering ethical relationship between two people. If relationships are primary to the enterprise of social professions, is it not heavy-handed to downplay particular moral relation in-situation by instituting uniform norms and codes?

Often organized around identity politics, legal rights tend to fix identity into rigid categories and build upon “the much narrower right to live an undisturbed private life” (Vaid, 2012, p. 2). In an individualistic culture, singular attention on attaining an individual right can unintentionally lead to cozy retreat into “an undisturbed private life.” One of the purposes of my study is to attend to possible iatrogenic effects from codifying “ethics” in professional communities. An iatrogenic disease is a malady created by medical intervention, or, more generally, a negative side effect that comes from an intended good. The tradition of analyzing the possible negative side effects caused by professional services is more established within medical professions than social professions (McKnight, 1995, p. 101). At a micro-level, a decision to deport a child’s “undocumented” parents from the U.S. (leaving the child “parentless”) leads to recognition of the iatrogenic effects of immigration laws and policies. Therein, professional commitments to “do no harm” become muted by legal classifications of citizen and non-citizen. At a macro-level, policies and laws that institutionalize individual rights may lead to retreat from social life and “truncated” moral development. If I have an individual citizenship right to live in the United States, then somebody without citizenship does not share that right. The right of citizenship, thus, leads to

deportation of noncitizens—the denial of a right to those who do not qualify. As such, I might argue in favor of the legal deportation of noncitizens based on my right as a citizen, and I can completely disregard consequent human suffering and the hardships of broken families while claiming my legal rights.

Ethical engagement and action are qualitatively different than following code and obeying the law. Mistakenly naming legal and professional rule as “ethics” contributes to an erosion of interpersonal responsibility for each other. Dawson (1994) considers professional ethics codes “unethical” insofar as they minimize “the responsibility of the professional for his or her actions” and stunt “the moral development of the individual, suggesting that once a code is known, then ethics come to an end” (p. 153).

### **Postmodern Critique: Knowledge, Ethics, and Subjectivity**

One of the most challenging theoretical critiques of modern professionalism (in general) is the turn toward postmodern thought. Postmodern perspectives widely describe a social world that has splintered under modern, rational structures of authority. Postmodern thought acknowledges the shortcomings of the tools of eighteenth-century Enlightenment – reason, science and technology – to engineer social stability and “advance” civilization (Irving, 1999, p. 30). Moral authority and grand narratives of social progress – such as those tied to the epistemologies of social professions – have failed to materialize. Furthermore, institutional mechanisms of social control have been cast critically within relations of truth, knowledge and power. Because pluralism, complexity and subjectivity are pressing and paradigm-shifting matters in contemporary society, postmodern theorists interrogate normative rules for the ways in which they

enforce existing power structures. In the twenty-first century, society may be less grounded in normative logic and categorical truths even while modern institutions still rely on them. The pursuit of universal truth has slowly made way for appreciation of relative worth and context. As well, modern-era catastrophic events of human making and predictions of future environmental collapse have shattered unwavering allegiance to “progress” and innocent knowledge. Referring to a “postmodern turn,” Best and Kellner (1997) describe a “turn away from modern discourses of truth, certainty, universality, essence, and system and a rejection of grand historical narratives of liberation and revolution” (p. 6). An epistemological stance that uproots foundations also dislodges social constructs such as professional authority, specialized knowledge and ethical code.

I do not mean to say that “progress” or improvements have not been made through modern social institutions. Certainly, much evidence validates the material and social improvements initiated by modern institutions (and the ethics codes that support them). As a minor example directly resulting from ethics code, the initial AMA Code of Ethics helped to eliminate unqualified, unskilled people from presenting themselves as trained physicians and exploiting patients in the interest of personal profit (Baker et al., 1999). I am, however, suggesting that the conditions of late modernity have brought about important critique of mechanisms of social control and disciplinary society.

Deleuze believed that Western thought “... privileged identity and unity over difference” (Irving, 2006, p. 136), and Foucault “... viewed codes and categories as blocking expressions of difference” (p. 134). Irving (2006) offers a Foucauldian critique of ethics codes:

Ethics for Foucault was not a history of moral codes, or the writing of regulatory codes of ethics, or the application of universal moral imperatives. Foucault often talks about “games or regimes of truth,” making the point that there is no inherent meaning in what we claim to be true; truth is only and always a clumping of the procedures used to establish it. Similarly, we can say that codes of ethics have no internal or intrinsic meaning and are simply a bringing together in one place of the procedures used to establish a particular code: arbitrary, contingent, and the artifact of particular gushings of power. (p. 132)

Foucault (and other postmodern theorists) rejects codes and rules of practice as viable ethics. As demonstrated in his studies of prisons, mental illness, and sexuality, truths are normative products of power relations within certain historical conditions. Professional ethics codes give an impression of self-evident truth and authority, while ignoring contingency, context and variation.

Writing about social work, Dybicz (2010) claims that a postmodern discourse represents a “fundamental shift in consciousness” that is not expressed in the “techno-rational consciousness” of a modern discourse. A postmodern discourse expresses a “critical consciousness” that “...views each client as creating his or her own world and views human action as springing from the social construction process – hence, an understanding of how power influences the construction process...is vital” (p. 43). Dybicz proposes a way forward that values fluency in both discourses and wants social work: (1) to expand its social science orientation by including the humanities (e.g. philosophy, history and cultural studies) in its epistemological base and (2) to emphasize “critical consciousness” as the “authority base” (2010, p. 43). Critical consciousness refocuses practice from negation of difference to social change.

## **Levinas and the “Knowing” Professional**

The institutions that support the social professions developed through a production of knowledge rooted in positivist thinking. “Social work from its origins to the present has located its center of gravity in these Cartesian foundations of modernism. The nature of knowledge, research, and truth for social work has largely relied on the methods of Descartes” (Irving, 1999, p. 31). Cartesian epistemology positions an observer standing in relation to the world – a subject in relation to an object. “The Cartesian mind sorts data, organizes material, and scrutinizes validity” (1999, p. 40). Following Descartes (1596-1650), Kant (1724-1804) described a uniquely human “free will” as an “initiator of causes” (Dybicz, 2010, p. 26) and prepared the philosophical foundations for modern practice in many social professions. “Free will allows one the possibility to successfully adapt to various non-beneficial situations via initiating new actions that will produce the desired reactions” (2010, p. 27). These modern discourses of rational causality, categorical thinking and corrective action have informed the production of knowledge within social professions. Applying this model to schools, progress is the result of initiating better technologies, better curriculum, better management and better assessment.

Applied to practice, this can lead to a singular coalescence of understanding that views and treats others categorically rather than individually. Dybicz (2010) argues that categorical thinking undercuts freedom by constructing causal explanations and promoting client adaptation or modification. In other words, the emphasis is on fitting into existing structures and categories rather than engaging politics, preserving difference

or transforming oppressive structures. For example, an emergent field of critical scholarship in disability studies has shown how entire systems (e.g. special education) have been developed to handle difference. Granted with the power of expert knowledge in treating and classifying people, these systems have been legitimized by pathologizing and medicalizing the bodies and minds of persons who don't fit within *normal* expectations. Hence, these systems also reify the *abnormal* (Connor & Gabel, 2010). In doing such, professional mechanisms open themselves to critique as performing operations of social control rather than providing service toward a public good or needed change.

Social professions produce knowledge and use concepts with ever-increasing precision in their commitment to “helping” others (clients, students, etc.). Within social work, “... professional knowledge valorizes and mandates ‘knowing the client’ as a special professional function” (Rossiter, 2011, p. 987). For example, social work case managers routinely compile client psychosocial histories, which are drawn from piles of previous reports, interviews, notes and documents. Part of the knowledge contained in a psychosocial history may include an analysis of problems (including individual, peer, family, legal and health factors), risk factors and protective factors. In the early days of professional social work, this was often referred to as “social diagnosis.” Teachers, as well, rely on the knowledge of test results, colleagues, academic reports and school psychologists to “better understand” and teach their students.

Levinas takes direct aim at the Platonic, Cartesian infatuation with disengaged knowledge that has dominated the social professions. Levinas finds an “unbridgeable



gap between knowledge and ethics” (Gottlieb, 1994, p. 366). He philosophically negates the idea that ethics can be generated through knowledge. I offer a brief summary of the Levinasian perspective through the writings of Roger Gottlieb (1994):

He [Levinas] believes that knowledge is necessarily aimed at or inevitably leads to domination, objectification, and alienation. Therefore knowledge cannot be the basis of ethical life—that is, of a kind of transcending concern for other people, a concern untouched by our own needs, desires or attempts to control. ... [K]nowledge of others necessarily reduces the Other to something we possess, something we have acquired, and something—ultimately—we will use. (p. 366)

Knowledge of others, whether professionally construed or otherwise, may be experienced as *totality*. “... [T]otalities are the concepts we deploy that allow us to feel that we know or understand another person” (Rossiter, 2011, p. 983). These concepts may emerge from knowledge, assumptions and beliefs, which create understandings of individuals “as extensions of the conceptions we use to understand” (2011, p. 983).

Knowing, and potentially totalizing, an Other interferes with the possibility of caring. Robinson (1999) describes an “ethic of care” as emerging “out of an ability to see the other as a concrete, particular person who exists not as ‘other’ in an absolute, objective sense, but as another whose uniqueness and particularity emerges through her relations with others” (p. 102). She continues,

A human being only becomes a particular person when she is understood as a person with an identity—a person who may be both different and similar to the moral agent and to others. This in itself means that that particular person exists, and can be known, only in the context of her relationships both to the moral agent and to other individuals and groups. One cannot even begin to respond morally, indeed, to care for another person, without making sense of this. (p. 103)

While Levinasian ethics fundamentally differ from care ethics, both describe how the uniqueness or alterity of the Other must be affirmed for ethical relation to occur. Since expertise essentially differentiates professions (however arbitrarily), it runs the risk of totalizing the person within a particular disciplinary frame and squeezing aside potential ethical relationship between the person and the professional.

Levinas describes totalization of the Other in terms of violent exploitation. Insofar as the client is an extension of the professional's knowledge and an extension of the professional herself, such extension amounts to "symbolic murder" (Rossiter, 2011, p. 985) – the annihilation of the Other's singularity. This idea resonates with those who have expressed similar critiques of categorical thinking. Dybicz (2012) explains "... [W]hen applying one's expertise, the client is always viewed in this categorical manner—and is thus robbed of his or her individuality" (p. 274).

When I worked in social work, I recall laboring over writing representations of clients when corresponding with court officials, insurance companies, case managers and so forth. How did I acquire the power to represent another person—especially someone under eighteen years old who was not legally allowed to represent himself? I knew the agencies just wanted bare-bones clinical information (preferably in bullet points). But, if I was ever truly present with the person whom I represented in words, I also knew that my representation would always fall short. Citing Levinasian ethics, Perpich (2008) describes, "To represent the other is to begin the process that reduces her from a who to a what. It is a way of getting hold of the other, of exercising social control over her" (p. 191). Perhaps, that is all the bureaucracy of mental health wanted and expected.

In the following section I want to connect my critique of the *knowing* professional with my experiential narrative. Insofar as working with an Other involves telling, arranging or attempting to control the Other through perceptions of knowing better than the Other, I question if such dynamics can also be ethical.

### **“Nobody Tells the Birds How to Fly”**

I want to share a brief story to rejoin my personal narrative with my dissertation study. I use it to counter some aspects of the master narrative of social professions related to “knowing” our clients and students. After I became Andrew’s foster parent, as described in Chapter One, I drew upon my professional training (MSW) and personal exposure to parenting as I figured out my new role as “parent” (to an eighteen year old, nonetheless). *Officially*, I was a “therapeutic foster parent,” which meant that Andrew had therapeutic goals, a case manager and a social worker to oversee his progress. I provided daily notes on Andrew’s “treatment plan” to his case manager. We met with her once every three months. Based on these conditions and requirements, I never completely left a professional orientation in some aspects of “working” with my foster son. While there were many more casual, familial aspects to our relationship, he also had “independent living goals” (e.g. education and employment) to work on so he could leave my home more prepared to be a self-reliant person. *Unofficially*, Andrew was a brilliant, musical, complex person who thought deeply and felt cautiously. He inspired me to live more artistically and changed my own self-understanding through our relationship.

After about eighteen months, Andrew’s “therapeutic foster care” placement was *officially* not going well. He stopped attending community college classes; he couldn’t

keep a job; he disappeared for days at a time, and he relapsed into regular drug use.

Around this time, his social worker wanted to terminate the placement because Andrew had repeatedly violated the terms of his “independent living” agreement. Youth who remain in foster care beyond their eighteenth birthdays enter voluntary “independent living” agreements. These agreements can be terminated by the youth or by social services; otherwise the agreement terminates when the youth turns twenty-one years old. As well, my relationship with Andrew had moved into a period of heated argument, uncertainty and depth of emotion that I had never felt before. I relied on my social work knowledge and expertise: confronting Andrew, holding him accountable but also offering support and consistency. In truth, I began to wonder if I was out of my depth.

At the worst of it, when the arrangement and entire relationship seemed certain to come apart, I took a hike. I walked along a stream that cut through my landlord’s property. I felt exhausted and confused. Andrew’s drug use was a problem. It prevented him from keeping a job and going to class. It damaged his relationships with friends, with me. I *knew* what Andrew needed to do. His case manager and social worker *knew* what he needed to do. Why couldn’t he do it?

Sitting on a rock next to the stream, I noticed a flock of birds migrating overhead. They were headed somewhere with singular purpose. Not one of them flew out of form or appeared confused about where to go. It occurred to me: “*Nobody tells the birds how to fly. They just fly.*” Who was I to tell Andrew how to fly? In *knowing* what he needed to do, how was I complicit with violating his individuality and the direction of his own

flight? How could I dictate what Andrew should do when nobody tells the birds how to fly?

This story brings me back around to the problem of knowing in ethical relations. Since interfacing with professional child welfare services, mental health services and, eventually, the adult criminal system—a time span that covered all of Andrew’s teenage years—professionals had been offering or requiring “services” that were set forth in his “best interest.” I am not suggesting that these services were unimportant or wrongly advised. Andrew reflects that most of them were “beneficial” to him. I am, however, questioning whether an ethical relationship manifests in “knowing” an Other. The rational knowledge and practice of social professions is rendered in the interest of correction and expressed through control and coercion. As well, such knowledge is compiled into ethics code, which attempts to link knowledge and procedure to “ethics.” While such standard services may be instrumental or helpful, what makes them ethical? Are attempts to classify and define “ethical” practice in a fixed form misguided or irrelevant?

Levinas unequivocally argues that any action leading to the reduction of an Other has no claim to ethics. While one might demonstrate care through guiding or supporting an Other, care is also outside of what Levinas calls “ethics.” Arriving prior to knowledge, ethics prefigures one’s encounter with an unknowable Other. The primacy of ethics denotes that obligations precede our contingent identities (Gottlieb, 1994, p. 368). Our responsibilities exist prior to professional and vocational roles. Levinas conceptualizes “totality” across from “infinity.”

Infinity, on the other hand, is the inexhaustible, irreducible singularity of people: it is what is outside the Same. At the heart of Levinas's ethics is the notion that our representations of persons are always inadequate. Something always overflows, escapes our knowledge, comprehension, conceptions. Infinity is the acknowledgment of what is beyond comprehension. (Rossiter, 2011, p. 983)

It is at infinity, the “irreducible singularity of people,” where Levinas identifies the ethical. “Ethics for Levinas is the *orientation* itself to that which exceeds our concepts and our ideas of persons—how we are alert to the inadequacy of representation” (Rossiter, 2011, p. 986). Ethics alert us to the fact that we are more than social workers and more than teachers in our relationships. Responding to ethics prevents us from defaulting to purely technical, mechanical interactions. By being alert to the inadequacies of how the Other is represented, we may remain more open and reflexive—more “unsettled”—in our professional interactions.

In light of Levinasian ethics, Rossiter (2011) advocates “unsettling” social work “as a practice of ethics defined by a conscious and deliberate commitment to working in full view of the tensions and contradictions derived from social work’s professional status and knowledge claims” (p. 981). Given that professional knowledge (and related codes) function as mechanisms of social control and collude with economic and political interests, I wonder what it really means to work in “full view of the tensions and contradictions” of practice. What does that look like? How does it feel? After all, individual professionals are subject to the dominant mechanisms and discursive practices of their given professions. The coalescence of narratives (about “professional behavior,” “appropriate boundaries” and not getting “too involved”) shapes the particular ways we

understand our world and the people in it. I have suggested that “unsettled” practice entails working on the periphery of professional norms and rationalism. Doel et al. (2010) agree that ethical engagement in social work practice may mean entering the “grey areas” or the “shadows” (p. 1884). Weinberg and Taylor (2014) add that even the most rule-bound social workers sometimes bend the rules to be “ethical subjects” in actual practice (p. 84).

Professional traditions, ways and discourses constitute what Gadamer calls “horizons of understanding.” Understandings are “enabled and conditioned by pre-judgements” (Moran, 2000, p. 252). Dybicz (2010) suggests that when our “horizons of understanding” begin to restrict the “possibilities of being,” then freedom is “undercut” and “oppression occurs” (p. 36). He calls it “existential oppression” when the dominant discourse defines “the individual in such a way that one’s essence, or worth, is lessened” (p. 37). Citing Freire, he adds, “... freeing oneself from existential oppression is a necessary precondition for spawning a critical consciousness...” (p. 38). Just as those who receive help from social professions may feel totalizing violence, rule-following professionals who rotely adhere to standard procedure may feel the heft of existential oppression. As a rule-abiding professional, you withdraw for fear of getting too close; your supervisor reminds you to only concern yourself with the tasks of your job (your totality); you are evaluated by your student’s score on an exam rather than how you responded to her throughout the year; your livelihood depends on a duty to professionalism that encroaches upon any other ethical commitment you might consider.

## **The Professional Subject—Foucault’s Technologies of Self**

To focus on the professional subject, examination of power relations may lead to more critical understandings of the dynamic circuitry of professional identity and professional-client/student interactions. A Foucauldian analysis provides insight for understanding how power and identity are at play within professional structures. Foucault describes modern techniques through which humans develop knowledge about themselves and understand themselves. Two techniques of particular interest here are “technologies of power” and “technologies of self.” Foucault (1997a) describes “technologies of power” as an “objectivizing of the subject” that determines the “conduct of individuals and submit[s] them to certain ends” (p. 225). He describes “technologies of self” as the ways that individuals, through their own means, engage techniques on “their own bodies, souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality” (p. 225). Professional systems (schools, organizations, codes) can be described as technologies of power, and professional identities and relations can be thought of as technologies of self.

Based on a Foucauldian analysis, technologies come from “bio-power” and governmentality. Foucault refers to “bio-power” as the larger complex of relations and practices between knowledge, power and discipline (Rabinow, 1984, p. 17). The bio-power complex includes scientific classifications and dividing practices. Governmentality involves “. . . the rise of modern political and social institutions that, in tandem with the emergence of the sovereign nation-state, have sought to categorize,



compartmentalize, and control populations by placing them into clearly defined groups” (Wilkin, 1999, p. 181). O’Malley (2008) explains that governmentality refers to “the diverse ways in which we may govern the conduct of others and ourselves” (p. 54). Social professions (especially those involving systematized schooling and social work) have been thoroughly critiqued as operations of governmentality (Chambon, Irving, & Epstein, 1999; Peters & Besley, 2007). Foucault (1995) states, “The judges of normality are present everywhere. We are the society of the teacher-judge, the doctor-judge, the educator-judge, the social worker-judge; it is on them that the universal reign of the normative is based” (p. 304). Students, clients, teachers and social workers are all subjects for the “optimal harnessing” of “self-governing capacities” (O’Malley, 2008, p. 55). Students and clients are clearly subject to judgments and normative corrections. Less obviously, teachers and social workers are also subject to the self-governing tactics of professionalism.

If professional technique is seen as including strategies of self-governance, then codes of ethics can be implicated in Foucauldian description of governmentality. O’Malley (2008) describes, “The analytic of governmentality ... is concerned with surfaces—the words used to describe problems, the discourses in terms of which subjects are characterized, the categories that are used to explain policies” (p. 56). Ethics codes are paramount in this assemblage but so are the discursive elements that support them, such as “do no harm,” and normative geographies (i.e. how space is regulated and where caring can occur). As a professional tenet, “do no harm” centers the problem of harm and places professionals in a position of “not doing” or withdrawing action. “Do no harm”

has more regulatory potency than a tenet such as “do good.” As a category to explain policy, codes categorize policies and procedures as “ethics.” As I described in Chapter Two, Banks (2003) found codes of ethics to be made up of a combination of principles and rules of practice, and principles and rules of ethics. By linking rules of practice to rules of ethics, codes achieve the “intense practicality” that O’Malley (2008) attributes to governmentality. “Governmental mentalities are ... always linked to technologies for doing things, answers to the question of ‘What is to be done?’” (p. 56). In this sense, the governmental mentality of professional ethics code discreetly defines “ethics” as following correct procedure.

O’Malley (2008) also shows how governmentality uses “risk” as a “particular way in which problems are viewed or imagined” in order to develop self-governance. “Do no harm” foregrounds “risk.” Statistical and probabilistic techniques that report on professional violations of code (e.g. frequency of sexual misconduct among teachers) foreground “risk.”

...[I]ncreasingly prevalent adoption of risk as a framework of government creates new subjectivities and redefines relationships. There is a focus on how it invents new techniques for self-government (or “techniques of the self”) and for the government of others, and creates and assigns responsibilities accordingly. (O’Malley, 2008, p. 63)

For the professional agent, this means that responsibilities are always mediated by risk awareness. One’s sense of moral responsibility to an Other may be neutralized by the probability of risk.

In his later work Foucault focuses on technologies of self and self-care. Foucault turns his attention toward the question of how humans are made into subjects. Foucault scholar Paul Rabinow (1984) refers to this as “subjectification” (p. 11). Rabinow explains that “subjectification” differs from dividing practices and scientific classification because it has less to do with marginalized or dominated populations. In subjectification the person initiates an active self-formation. As quoted in Rabinow’s (1984) introduction to *The Foucault Reader*, Foucault writes:

There are two meanings of the word subject – subject to someone else by control and dependence, and tied to his own identity by a conscience or self-knowledge. Both meanings suggest a form of power which subjugates and makes subject to. (p. 21)

As addressed in my discussion of professional socialization and identity in Chapter Two, members of social professions are tied to their identities through common ideology, knowledge, moral calling, status, power and community.

Writing about Foucault’s technologies of the self, Besley (2007) refers to subjectification as a possibility in the “ascetic practice of self-formation” (p. 59). Foucault (1997b) describes “self-formation of the subject” as “an exercise of the self upon the self by which one attempts to develop and transform oneself, and to attain a certain mode of being” (p. 282). As with religious asceticism wherein the subject disciplines himself, professional asceticism applies a scientific method to groups of professionals. Professional asceticism “... turns human beings into objects” that, for their own good or society’s good, subjects them to “discipline” such that they “collaborate in

their own subjection” (Macdonald, 1995, p. 175). Professional asceticism is generally motivated by the desirable status of *being* professional.

### **Summary**

In this chapter, I offered a conceptual analysis of professional codes of ethics. I suggested that rules, rights and codes may serve important purposes in society and professions, but they are fundamentally afar from ethical activities—critical social processes that are dynamic, uncertain and ambiguous. I described the present conditions of a technological society in which ethical activities are reduced to rules of efficiency and procedure. I then explored the problems of technological, late-modern society (e.g. feelings of alienation, emphases on social correction) through various postmodern perspectives. I attempted to link professional ethics code to its place in technological society through technologies of care and practices of monetized, professional care. Finally, I provided a brief and incomplete account of postmodern perspectives of ethics. I shared Levinas’s rejection of a “knowing” ethics and related Foucauldian insights on governmentality and technologies of self to expressions of ethics such as “do no harm” and professional agency. From these postmodern critiques, other articulations of “ethics” emerge that necessarily point toward the limitations of professional ethics. Specifically, the various scholars I included describe an ethical orientation that is more open, sensitive, responsive and generous in everyday life.

CHAPTER IV  
FROM TOP DOWN TO BOTTOM UP: FINDING ETHICS IN  
EVERYDAY PROFESSIONAL LIFE

One can, obviously, behave ethically without engaging in ethics as a philosophical enterprise....

—Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education*

In the previous two chapters I broadly surveyed sociological understandings of professionalism and philosophical analysis of ethics and ethics code, including feminist and postmodern perspectives. Together, sociology of professions and moral philosophy provide broad context for the ideology of professional ethics and describe processes through which normative, prescriptive ethics are codified. While examination of the sociology and philosophy behind “professional ethics” offers theoretical breadth, academic understandings of professionalism and normative ethics do not necessarily describe the lived experiences of ethics in social professions. My primary research questions include: (a) How do professional codes of ethics conventionally narrow the scope of what is “ethical” and, thereby, limit ethical possibility; (b) How might one’s sense of responsibility to another person *shrink* under professional procedure or good boundaries? While the previous two chapters show how professional code binds and limits the scope of professional conduct and ethical practice, I have not sufficiently addressed how a professional might experience such narrowing. To explore how the professional subject experiences and responds to the ethical structures of professionalism,

I must ground the “ethical” within the artifacts of everyday professional life. In this chapter, I develop bridges between the abstract (e.g. moral philosophy) and the lived world (e.g. social science). Many of the scholars I draw from in this chapter write about ethics theory and research from interdisciplinary positions that include philosophy, psychiatry and ethnography. After explaining a framework of empirical or pragmatic ethics, including pragmatic hermeneutics, I use film and narrative artifact to combine “factual” or descriptive accounts of the lived world with normative questions of judgment and value. To help traverse a temporal bridge between professional ideology and the lived world, I also offer a queer reading of Kenny and Professor Falconer from Tom Ford’s 2009 film *A Single Man*. This work of grounding and bridging leads me directly into the next chapter, in which I add qualitative research on ethical responsibility and professional boundaries with social workers and teachers.

### **Ethics as “Being-in-the-World”**

Because professional social workers and teachers are immersed in practice that is already organized with purpose and structure, Heidegger’s sense of “being-in-the-world” is relevant and useful for grounding my research approach. “Heidegger looks to the way *Being* emerges within the context of our everyday *practical* engagements—what he refers to as being-in-the-world. The aim is not to begin with an already constituted subject but to focus on the emergence of subjectivity in a concrete historical situation” (Arfken, 2006, p. 44). Heidegger’s “being-in-the-world” is an initial step for moving my inquiry from ethics as metaphysics to ethics as a subject of practical activity. This move helps me identify tensions between explanations of professional behavior as constituted

through tradition and discourse and professional behavior as *not* “already constituted” but emerging or becoming in everyday life. While “professional ethics” and “applied ethics” typically have been developed and codified as a “rational process involving the application of ethical principles to practice” (Banks, 2008, p. 1241), Heidegger’s focus on practical involvement with the world through tools and traditions helps me to locate ethics in moments of interaction between people. Thus, professional practice is a source of ethics and not just a setting where pre-determined ethics are applied.

Thinking about ethics in terms of “Being-in-the-World” is not just a shift from abstraction to practice; rather, it bluntly confounds a Cartesian subject/object dichotomy that is necessary in applied ethics. *Applied* ethics involves a professional subject who acts upon an object (e.g. student, client) with principled intentions or practices. Borry, Schotsmans, and Dierickx (2008) explain that applied ethics is “based on a top-down rationalistic and deductive model” (p. 41). With his notion of “Being-in-the-World,” Heidegger suggests that we dwell in or inhabit the world with pre-understanding and background knowledge that exceeds our intentionality. Heidegger uses the term “comportment” to draw attention to “concrete engagements that precede any mentalistic commitments” (Arfken, 2006, p. 43). In this sense, we are involved in the world in shifting contexts against multiple backgrounds. By foregrounding ontology and practical involvement in the world, Heidegger draws attention to “a way of being that need not be grounded in intentionality” (2006, p. 43).

In her work on Levinasian ethics, Todd (2003) makes a distinction between “applied ethics” and “implied ethics.” Whereas “applied ethics” involves application of

an ethical principle or value onto a situation, “implied ethics” asserts a situation in which “... practices, technologies, discourses, and relationships always already participate in a field of ethical signification ...” (p. 14). In other words, ethical conditions and signification exist *prior to* professional procedures, technologies and discourse. Reduced social space for “implied ethics” (Todd, 2003, p. 29) and moral responsibility (Bauman, 1995) can discourage individual engagement with others by disregarding the primary site of ethics—human encounter prior to pre-understandings and rationally determined procedures. Borry et al. (2008) note that bioethics has “drifted away from a purely theory-driven approach towards moral theory that is more grounded in practical reality” (p. 41).

Professional training and socialization generate “pre-understandings” of “ethical” behaviors and reflect Gadamer’s emphasis on history and tradition in understanding and interpreting phenomena (Lavery, 2003). For example, Hick (1998) recalls traditions and events behind ethical principles in medical practice such as freedom, consent and self-determination. He makes a case that Kant’s emphasis on the birthright of freedom and events leading to the Nuremberg Code have made up (in part) a tradition for “respect for persons” and led toward legal client rights. While Gadamer believed we cannot escape the “historicality of being” or our “prejudices” (e.g. respect for persons seems *naturally* ethical), he did believe that we can extend our perspectives toward new interpretations and meanings (Lavery, 2003, p. 11).

A professional automaton may follow tradition and enact “ethical” behavior with technical expertise and unwavering precision. She may control her own emotional



response through a dutiful performance of trained emotional labor. González and Iffland (2014) explain “emotional labor” as the “personal manipulation or management of one’s emotions or feelings” to produce a sense of being cared for (p. 17). Citing Eva Illouz (2008) they argue that the “emotional norm of self control” operates in bureaucracy through an ideal of “self-mastery” (pp. 17-18). Upon studying members of social professions in the “real-world,” such ideals seem too mechanical and overly determined. Weinberg and Taylor (2014) report that regardless of increased “managerialism” and expansion of rules in social work, front-line practitioners sometimes “bend” the rules and sometimes follow the rules. They report, “... practitioners did not turn to the rules enshrined in the codes as their major means of resolving ethical struggles...” (p. 79). In other words, pre-determinations and pre-understandings cannot fully account for professional behavior as related to ethics. They conclude with recommendation for the field of professional ethics to be “expanded to look at the situated nature of practitioners’ work and not rely solely on cognitively-based universal sets of principles” (p. 84).

In an ethnographic study of ethical decision-making in community psychiatry, Brodwin (2013) describes “ethics wide” as “broad values and ideals” that assume a “false uniformity” (p. 17). He continues to describe “ethics narrow” or everyday ethics as a “... sense of right and wrong and the way they [clinicians] figure their responsibility for particular others” (p. 17). Ethics wide reflects the general principles or values of a profession. However, when such principles and values are codified for the practical governance of a profession, they tend to prescribe specific behavior and, as often,

*prohibit* specific behavior. Ethics narrow more closely reflects what happens in everyday professional practice. Brodwin (2013) elaborates:

... [T]ranscendent ideals are constantly questioned and modified through the give and flow of face-to-face encounters. As an element in social life, high-order principles, virtues and norms are always already relational. They get mobilized only when people start to figure their responsibility, and hence their proper conduct, in concrete circumstances. ... This process becomes visible especially when they fell a mismatch between the inherited ideals and what the immediate situation demands. Such moments prove that people are not social automatons or simple vehicles for the reproduction of existing arrangements and ideologies. (pp. 17-18)

To the question of my dissertation—is ethical possibility constrained or restricted under pre-determined professional code and discourse—I need empirical information to further my conceptual analysis. McMillan and Hope (2008) recommend research that “combines empirical work with ethical analysis,” when “ethical analysis identifies key empirical questions” (p. 17). Two empirical questions from my dissertation include:

- (1) Countering normative understandings of ethics, how might *breaches* of professional norms be understood (by professional subjects) as potential sites of *moral action*?
- (2) Does the professional subject experience the ethical structures of professionalism in “second thoughts and fleeting moments of self-doubt” (Brodwin, 2013, p. 4)? I approach these empirical, phenomenological questions from an anti-foundational, pragmatic stance. A top-down approach moves along paths from the universal to the particular and has been faulted as “insufficient” to ethically guide the activities of professionals (Campillo et al., 2014, p. 4). A pragmatic or bottom-up approach focuses on everyday professional practice that is uniquely situated in existing relationships.

## **Pragmatic Assessment of Ethics Codes**

Pragmatic approaches to professional ethics take up concerns and questions about the usefulness of codes, guidelines, principles, values and discursive traditions. What is the usefulness of such equipment in everyday practice? What happens when such equipment is no longer useful for a particular situation? When empirical research demonstrates what is classified as “rule-bending” behavior, does that evidence negatively impute professional behavior (e.g. “She should have followed the rules.”) or the usefulness of the rules (e.g. “The rules were unjust in this situation.”)? Heidegger remarks, “The equipmental quality of the equipment consists indeed of its usefulness” (1997, p.48). From a Heideggerian perspective, a code of ethics can be thought of as a tool or piece of equipment that is “ready at hand” or “available” (Moran, 2000, p. 233). Professionals readily use codified rules as they are helpful. They may be useful for adherence to stated ethical norms or other purposes like procedural efficiency. As Gibbs (2010) notes, “Our work can be disrupted when the equipment becomes conspicuous by not functioning” (p. 278). “Unready-at-hand” refers to equipment that might have once helped but no longer does; since the properties of the equipment have not changed, such conspicuousness leads to a more theoretical, scientific examination of the equipment (Gibbs, 2010). When thought of as equipment and considered for usefulness, professional codes of ethics become conspicuous when experienced as impeding or irrelevant to ethical action. Such “unreadiness” may lead one to question the essential ethicality of professional codes of ethics.

Brodwin (2013) provides rich description of the very processes that Heidegger and others have conceptualized. In reading the following introductory passage to Brodwin's ethnography of a community psychiatry mental health team, it is useful to think of ethics code as an "apparatus" for work.

Taking a moral stance interrupts the flow of work, if only for a moment, and exposes the background justifications for action. Most of the time, frontline staff are immersed in the demands of the day. They must manage the crisis that just blew up in their face or carefully move a given case to the next step in an intricate dance of paperwork and phone calls. But when their efforts fail, or when success would mean abandoning other ideals, clinicians can start to question the very apparatus for work. A ripple of conscience pushes them to rethink just what the paperwork accomplishes or what warrants their power over clients. Most of the time it remains just a ripple – not a full-blown critique of the workplace and its foundational value. Everyday ethics is a matter of second thoughts and fleeting moments of self-doubt. People reflect in passing on what they just did or witnessed someone else doing, and why it disturbed them. Afterwards, they plunge back into their usual routines. (Brodwin, 2013, p. 4)

By describing the "terrain of everyday ethics" (2013, p. 1), Brodwin conveys the quick pace of work in community psychiatry and ethical consternation in "fleeting moments." If we assume ethics code is a possible "apparatus for work" (i.e. "equipment"), the background justifications of ethics code become exposed by a professional's "moral stance" outside of the code's parameters. The professional's own vocational ideals or internalization of social values rub up against formal ethical norms causing a "ripple of conscience." After close study of "workplace ethos" and the "logics of care" in an "Assertive Community Treatment" (ACT) facility, Brodwin (2013) suggests that the "ethical" voices of professional clinicians are "soft, fugitive, and often drowned out by

the contingencies of practice” (p. 22). I concur that “second thoughts and fleeting moments of self-doubt” are frequent phenomena within social professions. Such thoughts and moments of self-doubt might disclose “ethical signification” prior to the enactment of professional duty. Empirical study of everyday ethics offer a way to understand what is happening and, potentially, a way to make professional ethics more relevant and meaningful in everyday practice.

### **Pragmatic Hermeneutics**

In developing theory and methods for studying ethics empirically, Widdershoven and van der Scheer (2008) draw upon the hermeneutic phenomenology of Heidegger and Gadamer in outlining “pragmatic hermeneutics.” As opposed to *prescriptive* principles and rules of conduct, *descriptive* ethics intends to construct professional ethics from the practitioners’ perceptions, values, beliefs and actions (Banks, 2008). Offering a research methodology that combines empirical work with ethical analysis, Widdershoven and van der Scheer (2008) describe medical practice as a source of ethics (p. 24).

In line with pragmatic orientations to ethics, Widdershoven and van der Scheer (2008) first claim that “the meaning of concepts lies in their practical consequences” (p. 25). Within professional practice<sup>14</sup> they ask, “Which issues are relevant to practice?” and “What problems do practitioners experience?” (2008, p. 24). Without framing problems within “strictly defined principles,” they are critical of solving problems through “abstract procedures” (2008, pp. 25-26). Thus, they suggest that the problems of practice are the “proper” objects for “normative analysis” (2008, p. 24). This is how they fuse the

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<sup>14</sup> Widdershoven and van der Scheer (2008) refer to psychiatric or medical practice. I am extending their scope to include professional practice in the social professions.

normative work of moral philosophy with empirical work. For example, a professional teacher who develops a relationship with a student living in the foster care system may demonstrate forms of parental care for her student that is outside of what might be considered “normal” teacher care. A minor example might be that she makes her student a birthday cake. This might become a problem of practice if issues of “boundary crossing” come up. Is she now taking on a parental role? Does that lead to concerns about favoritism or conflict of interest? Through my research I also address questions of relevance and problems of practice. Are codes of ethics and professional ethics relevant to practice and do they generate problems for practitioners or lose their usefulness in particular situations?

In their second claim, Widdershoven and van der Scheer’s (2008) assert that “experienced persons have practical knowledge about what is good and bad in the concrete situation” (p. 32). They draw from Aristotelian “*phronèsis*,” or “practical wisdom,” to suggest that acting or judging from one’s practical insight results in “appropriate application of the rules” and makes normative content more visible (p. 31). Baptista (2012) explains that “control” and “courage” are the two virtues associated with “*phronèsis*.” These counterbalancing virtues reflect an understanding of ethics as “prudential wisdom,” which leads to “thoughtful and sensible action” (p. 40).

Returning to my previous example, if it is understood that other students in the class and their parents do not find favoritism in the teacher’s act of making a birthday cake for her student in foster care, then there is no problem except, perhaps, in the relevancy of a rule (i.e. “Should there be a rule prohibiting such action?”). If concerns

about favoritism or conflict of interest do arise, could they be addressed through a process of dialogical ethics<sup>15</sup>? The teacher could make a “normative claim” that the child *should* have a birthday cake. While a birthday cake may hold limited significance, in the next chapter I report on professional social workers and teachers who could make a normative claim that everyone *should* have a parent or guardian. There, I describe the experiences of social workers and teachers who become foster or adoptive parents or guardians to youth who they met in professional contexts.

Finally, Widdershoven and van der Scheer (2008) describe a hermeneutic or interpretive, dialogical process in relation to the “phronèsis” of the experienced person. They “do not assume that the views of practitioners are perfect; they are open for improvement,” and there is a “process of negotiation between people investigating each other’s views and responding to each other’s claims” (p. 32). While such pragmatic orientations allow for continual improvement and include processes for changing ineffectual foundational ideology, they do not fit the form of codes. Rather, pragmatism can guide teams of professional colleagues and supervisors toward determining how ethical principles may or may not apply and toward responding to the particularities of the situation. I show how this might look in practice in my analysis section of Chapter Five.

By privileging the practical knowledge and insight of experienced professionals, Widdershoven and van der Scheer (2008) may under-theorize the subjugating effects of

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<sup>15</sup> Koehn (1998) rethinks feminist care ethics to include critical openness, relation to others, sensitivity to power dynamics, and critical conversation. She articulates her case as a principled dialogical ethic.

professional identity and performance. As I explained in Chapter Three, professional identity and the background practices of professional schooling can be understood as technologies of the self in which, by striving to *be* professional, professionals collaborate in their own subjugation. Such subjugation would likely call into question the phronesis of the experienced professional. Nonetheless, they suggest that such questions could be worked through in processes of negotiation and dialogue with others. Widdershoven and van der Scheer (2008) write:

Pragmatic hermeneutics stresses the importance of practical processes of meaning-making, related to concrete problems. It is critical of all attempts to frame the problem in terms of strictly defined principles and to solve it through abstract procedures. . . . [Pragmatic hermeneutics] emphasizes that moral knowledge is not theoretical, but embedded in action. (pp. 25-26)

Pragmatic hermeneutics, “being in the world” and descriptive ethics provide sound justifications for conducting human science research to study questions of professional ethics. Such approaches contextualize ethics by taking into account “commitments to specific others, motives and emotions” (Banks, 2008, p. 1243). Thus, they provide an approach to the study of ethics that is embedded in the everyday lives of professionals—an approach that is commensurable with “being in the world.”

### **“Being-in-the-World” Vignettes**

To traverse aforementioned bridges between prescriptive or normative ethics of professional code (what we *ought* to do) and descriptive or empirical ethics (what *is* done) of professional practice, I offer two vignettes in this chapter, and then explore breaches of professional norms for ethical possibilities in the following chapter. I follow



Van Manen's (1990) statement about human science research claiming that "any lived-experience description is an appropriate source for uncovering thematic aspects of the phenomenon that it describes" (p. 92). My first vignette is a poem that I wrote in 2001 when I was practicing social work. In the poem I explore and trouble the boundaries of the professional workday and aforementioned practices of self-mastery and emotional labor. Through my second vignette, I offer a detailed interpretation of a professional boundary violation through the character of Professor Falconer in the film (and book) *A Single Man*. These vignette bridges swing and sway; they may lead to vertigo. Bridges into "being-in-the-world" are not made of "foundational" materials like concrete and steel and offer no guarantees of safe passage.

### **Emotional Labor on the Clock**

After completing my Master of Social Work (MSW) degree, I accepted a job as a "family worker" in a residential treatment program serving adolescent males and their families. Along with general case management, I worked closely with a group of twelve adolescents and monitored the progress of their treatment during their residencies, which typically continued for about one year. Because it was a "24/7," live-in program for the residents, I extended my contact hours with them by remaining on campus after 5 p.m., eating meals with them and occasionally participating in off-campus hiking/camping trips. While residents bonded with different staff members, I generally developed close, trusting relationships with my group members, and they frequently requested one-to-one time to talk with me.

In mid-summer of 2001, I wrote the following poem:

### Office Hours

Tuesday morning:

I think I'm here at 9 am to listen while you tell me.

Tell me how it is to always fall short,  
to falter over hurdles using your own bridled maneuvers.

Tell me how it is to set the bar just out of reach,  
to open old wounds as you reach for it.

Tell me how it is when you withhold your own love to prove yourself  
unlovable,  
to prove yourself right.

While rusted teeth clamp into blood-drained flesh in a trap that you've  
sprung for yourself,  
tell me.

I turn it on – only during office hours.

I press down just enough to probe the pain and just enough to stop the  
bleeding.

Professional. I sit next to you.

And, when you might believe I care, I turn it off and head home.

I keep the office keys and write my own hours.

Until I'm home and wonder who is telling you ...

Until I'm driving and find a question I might have asked ...

Until I wake up and recall beauty in tears falling from your eyes ...

Then, I know that you write my hours,

And, we're both alive outside of nine to five.

This poem speaks to the professional experience of “emotional labor” and the organization of time. As a professional agent of rationalized, commodified care, I struggled with the temporal containment of care and emotional labor as a “norm of self control” and “self-mastery” (González & Iffland, 2014). I struggled with boundaries. While the expectation of “not taking your work home with you” may signify good

professional boundaries, it also seems incongruent with genuine caring relation. Mechanistic processes of locking and unlocking—turning on and turning off—become conspicuous and “unready” in the context of caring relationship. By recognizing that “we’re both alive outside of nine to five,” I disclosed an experience of a more continuous relationship with the Other, one that isn’t easily broken down into work hours or compartmentalized into “professional” or “personal.” Within the instrumental aims of professional activity, the spillage from such compartmentalization could be cited as justification for more clear and specific professional codes of behavior. While instrumental for maintaining professional norms, such a case would not have ethical justification from either a care perspective or a Kantian perspective of ethics.

In Chapter Three I introduced feminist care ethics and described Heywood’s (1993) warning that “withholding intimacy and authentic emotional connection from those who seek our help” might be considered “abusive” (p. 10). González and Iffland (2014) ask, “Is there something exploitative about a social norm that considers the maintenance of certain emotional states (e.g., ‘caring for’) as constitutive of professional excellence?” (p. 19). Both perspectives disclose something about the felt experiences of emotional labor and professional care. González and Iffland (2014) elaborate:

For if the emotional labor of a professional ‘carer’ requires her to reconfigure and conform her emotions (what she *cares* about and who she *cares* for) to the personal needs and demands of others, then it seems to require that she give up her capacity for self-determination and her capacity to choose what *she* (as opposed to others) treats as an object of ultimate concern. For the professional ‘carer,’ emotional labor seems to pose a threat to one’s development as an autonomous moral agent. ... This can lead us to ask whether the rationalization of emotional labor by institutions—its being taught, studied, acquired, and treated as a kind of

professional competency—would prevent a professional carer from achieving personal agency or moral autonomy. (p. 19)

González and Iffland’s discussion of professional caring draws from Kantian ideals of moral agency and autonomy. Accordingly, the threat to individual moral development comes from impediments to one’s freedom, self-determination, and personal identity. From a care ethics perspective, control or mastery of emotional labor threatens to impede the development of mutual and interdependent commitments. Both critiques challenge the professionalization of care for threatening or narrowing ethical possibility.

As I express in the poem “Office Hours,” social professionals and workers who provide care may experience the division of time—distinctions of professional time and person time—conspicuously. The rationalization of the work day and the control that is granted to the professional with her arrival and departure, her presence and absence may, at worst, erode some of the efficacy of social professions and likely sounds a bit absurd to anyone who has been part of genuinely caring relationship.

### **Performance and Ethical Response in *A Single Man***

As performer, the professional acts in correspondence to the social cues, purposes and contexts of a situation while remaining threaded to professional ideology. The twenty-first century professional manages her appearance, speech and gestures as she acts out her role in the real world. Erving Goffman (1959) theorizes performance and impression management in *Presentation of Self in Everyday Life*. Goffman describes the self as a “performer” and “character” with social origins (p. 252). The role of professional is learned in both explicit (formal education) and tacit ways. Character is

credited or discredited depending on how well the audience receives and believes the performance. According to Goffman (1959), "... performance is 'socialized,' molded, and modified to fit into the understanding and expectations of the society in which it is presented" (p. 35).

In the opening scene of *A Single Man*, Professor George Falconer selects a freshly pressed and dry-cleaned shirt and lightly polishes his shoes. Next, he observes himself in front of the bathroom mirror and carefully combs his hair. He narrates, "It takes time in the morning for me to become George. Time to adjust to what is expected of George and how he is to behave. By the time I've dressed and put the final air of polish on a now slightly stiff but quite perfect George, I know fully what part I'm supposed to play." George's morning routine takes place on the "back stage"—a place that is closed and hidden from the audience (Goffman, 1959). To become the professor who teaches literature to college students, he must develop a front, which "functions in a general and fixed fashion to define the situation for those who observe the performance" (p. 22). The "slightly stiff but quite perfect George" is a "collective representation" with its own meaning and stability aside from George, himself. Convincingly performed, the subject before the class is imputed as Professor Falconer.

George describes the result of his front as "stiff but quite perfect." He has grown accustomed to what Goffman (1959) referred to as "bureaucratization of the spirit." Goffman explains, "A certain bureaucratization of spirit is expected so that we can be relied upon to give a perfectly homogeneous performance at every appointed time" (p. 56). "Bureaucratization of spirit" describes socialization processes that not only

transfigure but also “fix” the character, the self or, in this case, the professional.

Professional schooling significantly contributes to fixing professional identity. Goffman (1959) refers to a “rhetoric of training” in which aspiring professionals experience a “mystical range and period of training” to “... foster the impression that the licensed practitioner is someone who has been reconstituted by his learning experience” (p. 46). One becomes a professional through particular regimes of truth, ways of knowing and performing. The necessary training and subsequent professional role cooperate to subjugate the person and constitute identity.

The commodification of human interaction occurs where being together serves some purpose external to those present. Institutional purposes are guided by correct procedures and implemented through professional practice. Professional practice operates to maintain the status quo. Resonant of Bauman’s (1995) description of episodic “mis-meetings,” the commodification of human interaction renders togetherness “inconsequential.” According to Bauman (1995), ways of being together are often “episodic, fragmented, strategic and disengaged” and “inconsequential in the sense of not leaving a lasting legacy of mutual rights / obligations in their wake” (pp. 49-50). Mutual rights and obligations are the moral consequences that follow openness and vulnerability to an Other, or, in Bauman’s terms, “being for.” “Being for” comes with risk and ambiguity, not preconceived consequences following contractual encounters.

Imputed as professional through social interaction, the subject does professionalism. There is no substance beyond the enactment. People who do

professionalism do not choose or create a professional self; rather, they learn the social cues and contexts for doing professionalism. Goffman (1959) writes,

A correctly staged and performed scene leads the audience to impute a self to a performed character, but this imputation – this self – is a *product* of a scene that comes off, and is not a *cause* of it. The self, then, as a performed character, is not an organic thing that has a specific location . . . ; it is a dramatic effect arising diffusely from a scene that is presented, and the characteristic issue, the crucial concern, is whether it will be credited or discredited. (pp. 252-253)

George Falconer narrates the opening scene of *A Single Man* in third person to frame professional George -- Professor George Falconer -- as performance. Taken as performance, the conspicuousness of professional relationship boundaries becomes as scrutable as scripted parts in a play that someone has authored. One realizes that the stability of performance is vulnerable. The perceived verity of a social construction can be undone.

A professional's constitution is complete when the performance comes across as believable or natural. When assessing a person's fit toward a particular role or position, we hear comments such as "she really has what it takes" or "he's a natural" or "she has a real calling." When somebody seems to have "ideal qualifications" for a given role, Goffman (1959) refers to an impression of "sacred compatibility" (p. 46). Necessary for creditability, a compatible or natural effect safeguards against strains or discontinuities in the performance. While there is no essential professional—no such thing as "professional" outside of the enactment—the impression of "natural" professionalism persists.

Viewers of *A Single Man* learn that George's boyfriend and partner for many years died in a tragic automobile accident. George deals with debilitating grief and depression; his world – his routines, habits and pursuits – is undone. Meaning and significance drain away from previous activities, like teaching. At the start of the film George dresses in professional attire, forcing a tired performance that no longer feels “natural” to him. He exemplifies the “cynic” (Goffman, 1959, p. 18), who no longer believes in his own performance. Eventually, George stashes a gun in his brief case, clears out his office and settles his financial affairs. The viewer interprets this sequence of events as George's intention to end his pain through suicide. However, George's forthcoming encounter with one of his students, Kenny, disrupts this ego-driven spiral toward death.

Kenny responds to Professor Falconer's teaching and follows up classroom discussion by speaking with his professor outside of class. After Professor Falconer has cleared out his office, he sits in his car in the college parking lot and anxiously eyes the gun in his briefcase. At this moment, Kenny startles Professor Falconer by tapping on the driver-side window. Falconer tersely answers,

“Yes, Mr. Potter?”

[Kenny asks,] “Are you going somewhere, sir?”

“That is usually why people get into their cars.”

“No, I mean are you going on vacation or something?”

“What?”

“I saw you cleaning out your office.”



“What exactly is it that you want, Kenny?”

“I was just hoping that we could get together for a drink sometime.”

“And, why is that?”

“I don’t know, sir. Because I think you might like it. And, because you seem as though you could use a friend.”

“Oh, really?”

“Yes, sir. You do.”

[pause] “Well, you may be right. But, it’ll have to be another time. I’m late.  
[pause] Thank you for the invitation. And, thank you for the talk earlier ... .”

[Professor Falconer drives away.]

In this scene Professor Falconer and his student Kenny encounter one another outside of classroom staging. The professional performance is more vulnerable to disruption on a less familiar, less equipped stage. Although Professor Falconer initially maintains his scripted distance, he cannot deny the truth of Kenny’s statement, “... you seem as though you could use a friend.” In that exact moment role boundaries become conspicuous and the interaction between George and Kenny shifts. Professor Falconer slips—revealing a shadow of his former self, someone who could use a friend.

George’s interaction with Kenny demonstrates the possibility of love through breached professional relationship boundaries. The possibility of love exceeds the death-drive when teacher/student roles relax in momentary openness. Linking psychoanalytic theory and Levinasian ethics, Todd (2003) describes connecting with an Other in such a way that the limits of the ego are exceeded.

Through love, the Other disrupts the stability of the ego, insofar as the ego becomes extended, its identity challenged and called into question in the very connection it establishes with the Other. In this sense, love lends itself to the conditions of commitment, whereby the drive for connection involves a certain capacity for openness that surpasses the ego itself. (p. 84)

Relationship that pushes beyond the ego-driven limits of self-mastery creates space for non-rational care (or love) that is active and interpersonal, if not mutual.<sup>16</sup>

Later in the film, Kenny follows George into a bar near George's home. They share some Scotch and, in an agreement to live in the present moment, they cross the street onto a California beach for a moonlit swim "in the buff." Sexual tensions arise once they return to George's house. Present desire confounds George's own sense of foolishness for having his student, now only wearing a towel, in his home. When Kenny is out of the room, George declares himself, "pathetic." Looking weary and tired, he eventually falls asleep. When he wakes up at 3 am, he finds Kenny asleep on the sofa safely holding and stowing away the gun that George had earlier contemplated suicide over.

Breach of professional code is usually understood as moral failing deserving the guilt and shame that follow. Looking guilty during an unscripted moment and shared connection with Kenny, George sees himself as "pathetic." When breaches of professionalism happen we rarely question codes of professionalism, because the codes seemingly provide "natural order." Rather than questioning routine norms and

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<sup>16</sup> Levinasian ethics emphasize asymmetry or non-reciprocity between Self and Other. Professional relationships also tend to be non-reciprocal. However, Alexander and Charles (2009) trouble that notion by reporting that social workers in their qualitative study describe "awareness of the mutuality within their relationships with clients" (p. 5).

boundaries, the “good” professional feels “pathetic” and experiences self-doubt for stepping out of order.

In fact, codes at once become scrutable through breaches that rupture their seamless enactment. Only by stepping off, or being thrown off, of the stage of do we recall the limits of the stage itself. Only from where we land on the floor do we begin to notice the lights, the curtains, the props and all the various elements that support such a performance. Outside the limits, we can begin to discern what Butler describes as “performativity.” As cited in Sullivan (2003) performativity “*consists in a reiteration of norms which precede, constrain, and exceed the performer and in that sense cannot be taken as the fabrication of the performer’s ‘will’ or ‘choice’* (1993b: 24, emphasis in original)” (p. 89). I contend that professional identity, like gendered identity, can also be understood as performativity.

As a student, Kenny is expected to perform the corresponding part with his teacher on the social stage known as school. By approaching his teacher in the parking lot, by speaking to him in a personal manner, by following his teacher into a bar and going skinny-dipping with him, Kenny resists the narrow student role. Professor Falconer, a bit out of sorts due to recent tragedy and his own despair, becomes open to Kenny as his well-practiced, professional performance has been derailed. Both men reach openness with each other—each open to being changed by the other. Openness to one another requires resistance to rote performance and generates the possibility of loving and becoming.

In [Thomas] Alexander's paraphrase of Gadamer, 'while I cannot go beyond finitude, I can go beyond my finitude in the moment when I become genuinely open to another. [. . .] Through our capacity to love, we achieve a finite transcendence' (1997: 340). (Alexander as cited in Hall, 2009, p. 57)

Being open to an Other and going beyond one's own finitude involves risk. Since professional code is seen as a "natural order," breaches are taken as unnatural and immoral. George and Kenny disrupt the "natural" authority and distance of teacher/student relations by meeting outside of the schoolyard—outside of proper surveillance. George could be fired for "improper conduct." His desire for a student, who is thirty years younger, could be interpreted as deviance. I am not arguing that abuse of power or position is okay or that such incidents should be covered over. I am suggesting that power abuse is not the *only* possible interpretation of breached professional relation. Breaking rules or disrupting the status quo can also be understood as resistance to a naturalizing order. In the case of Kenny and Professor Falconer, one might argue that their presence together was already imbued with ethical signification. Kenny's actions and Professor Falconer's vulnerabilities opened a space for ethical possibility.

By staying with George on the night that he intended to kill himself, Kenny demonstrates a sense of moral intuition and commitment. Before going to sleep he secures the gun that George carried with him throughout the day. While George's gun and implications of suicide were not part of the original novel by Christopher Isherwood (1964), the film provides heightened drama by inferring that Kenny may have "saved" George's life. Although this might sound like a heroic, Hollywood-scripted storyline,

Kenny did not plan to be heroic or moral. He did not plan to “save” Professor Falconer. Rather, he risked openness. Openness to the Other who stands in front of us germinates the possibility for moral action. But, to become open to the Other, one must risk discontinuity and ambiguity; one must risk disrobing “regulatory fictions”<sup>17</sup> under uncertain conditions that render one vulnerable.

Tom Ford’s film adaptation of Christopher Isherwood’s (1964) novel *A Single Man* beautifully discloses intimacy and care in student/teacher relations. It defies the typical tropes of “heroic teacher/at-risk student” by positioning Professor Falconer as vulnerable, even suicidal. Kenny resists playing the passive student, pushes back against Professor Falconer’s practiced, rigid performance and creates enough space for a certain openness to develop. In a twist of the typical teacher-savior film (e.g. *Dangerous Minds*, *Gran Torino*, *Freedom Writers*), the student becomes responsible for the teacher. This suggests “implied ethics” in human meeting and togetherness even in a professional world of procedures and regulations. It reveals the moral potential that exists in relation to Others.

A queer reading of *A Single Man*, such as the one that I have provided, demonstrates how queer theory can challenge ethical prescriptions and disclose ethical possibilities. According to Schlasko (2006), queer theory critiques “all claims of normalcy, and the process by which the borders of the normal are defined and policed

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<sup>17</sup> I borrow this phrase from Judith Butler’s description of gender norms. As explained by Nikki Sullivan, “Ontologies of gender are integral to the production of these fictions that regulate ways of being and ways of knowing, and to the representation of these fictions as truth” (2003, p. 84). Through the proliferation of professionalism, I suggest that professional norms also function as “regulatory fictions.”

(Britzman, 1998; Green, 1996; Morris, 2000)” (p. 125). Applicable to everyday life, it can help us to “acknowledge the constructedness of meaning and identity and thus to begin to imagine alternative ways of thinking and of living” (Sullivan, 2003, p. 51). By exposing “natural” professionalism as regulatory regime that validates performance over responsiveness and identity over action, we can begin to see more clearly how professional norms operate to diminish unscripted ethical possibility

### **Summary**

The vignettes I share in this chapter are important for bringing ethical abstractions and sociological theory into an experiential field of “being in the world.” With these two vignettes I describe and interpret the actual (what *is*) rather than applying ethical norms (what *ought* to be) onto real-world situations. Recognizing implied ethical signification within the hurried world of professional practice loosens the grip of prescriptive codes and opens possibilities for empirical study of ethics and, potentially, more responsive, pragmatic professional practice. Locating moral knowledge in action rather than abstract theory foregrounds practitioner experience and elevates the values that are most relevant in particular situations. As well, it pushes back against professional rationalization that constitutes, treats and protects whole populations but sometimes reduces “persons” to “objects of disregard” (Smart, 1999, p. 4). As the study participants in my next chapter demonstrate, it sometimes takes the full person—not just professional duty—to participate in a situation ethically and responsively.

CHAPTER V  
CROSSING LINES, OPENING ETHICAL SPACE:  
PROFESSIONALS BECOMING PARENTS

Social workers and teachers rarely make the nightly news unless they are subjects of salacious stories that detail professional transgressions through sexual misconduct and broken boundaries. Apparently, public outrage does not tire of sex scandal stories. In light of hyper-coverage of “unethical” behavior among social professionals, I want to explore professional boundary transgressions from a different angle. When someone moves from a professional role to a personal role with a student or client, is that unethical? Many may respond, “It depends.” What is to be said of teachers or social workers who break professional roles with young people in order to pursue parental roles? What can we learn about ethical possibility or the limits of professional ethics code by exploring boundary transgressions that happen for seemingly “ethical” reasons? Are there professional costs for action that involves breaking with standard procedure pursuant of personal morality or responsibility? I directed my attention to these questions while conducting interviews with teachers and social workers in order to better understand professional ethics in practice and operations of codes of ethics as tools of practice.

In the qualitative component of my dissertation study, I explore “positive boundary crossings” (Doel et al., 2010, p. 1884) in order to better understand how norms and codes are experienced in situations where the professional disregards some part of them. All of my participants became parents or guardians to students or clients with whom they worked. Professional boundaries are generally assumed to prevent professionals from becoming too personally involved with the people they serve. Qualitative inquiry helps me to describe the ethical sensibilities of professionals in situations where they act *against* some aspect of professional procedure. Since I am interested in how professional ethics and codes of ethics might diminish ethical responsibility among professional agents, study of “positive boundary crossings” may reasonably provide descriptive material.

Doel et al. (2010) studied professional boundaries among social workers and found that a clear majority relied on their own senses when making choices and judgments with no reference to formal guidance or professional codes of practice. Similarly, in a Canadian study of social workers, researchers found that while “rules did serve as technologies to regulate and normalize practitioners’ behaviours, they were not monolithic in their consequences” (Weinberg & Taylor, 2014, p. 74). Weinberg and Taylor (2014) also found that increases in rules tended to “promote ‘rogue’ or rule-bending behavior” (p. 74). Given that these studies point toward relatively minor oversight from ethics code, I designed an empirical research component to elaborate upon findings from prior studies. If ethics code is confirmed to be relatively inconsequential to “boundaries” in practice, we can better understand what motivated or compelled



professionals to take on parental responsibilities and, thus, better understand ethics in real practice situations.

### **Methods: Qualitative Interviews and Phenomenological Sensitivity**

Bowen (2005) describes, “The main strength of qualitative research is that it yields data that provide depth and detail to create understanding of phenomena and lived experiences” (p. 209). To understand the experience of relationship boundary transgressions and “ethics” embedded in professional action, I conducted in-depth interviews with professional teachers and social workers who became parents or guardians to their students or clients. Conducting interviews allowed me to explore and gather experiential narratives (Van Manen, 1990, p. 66). In talking with participants who crossed professional life / private life boundaries, I located ethics within lived, professional practice rather than set rules, principles or codes. While the independent actions of my participants moved against the professional “grain,” participants were also formally socialized into professional ethics, which favors approved institutional procedure. Thus, their professional socialization (including identity development through institutional training, discourse and ethics codes) was apparently at odds with their common action – taking on a parental role with a client or student. Does this *action* reveal a sense of moral responsibility against professional preferences for *moral inaction*? What meaning can be found in participants’ stories? Participants’ narrative and descriptive materials provide a site of inquiry for better understanding “moral knowledge” as “embedded in action” (Widdershoven and Van der Scheer, 2008, p. 25-26).

### **Participants: Social Workers and Teachers**

As an interdisciplinary study in professional and relational ethics, my dissertation crosses typical professional categories. To organize my study, I chose to focus on an existing body of theory and literature concerned with “social professions,” professions rooted in social care, social control, education and advocacy (Banks, 2003; Baptista, 2012). Finding this designation more indicative of the common tasks of social work and education than “caring” or “helping” professions, which tend to include medical fields like nursing, I transferred “social professions” from its European origins to a U.S. context. I decided that public school teachers and non-clinical social workers are representative of social professions in the United States. I excluded *clinical* social workers because their professional knowledge base comes from clinical psychology and mental health practice. Their therapeutic orientation to practice differs significantly in purpose and process from non-clinical social professions. For example, in clinical work, the integrity of the therapeutic process is maintained through awareness of transference and countertransference<sup>18</sup>. While I think that a clinical social worker and his or her client can choose to end a therapeutic relationship and enter a different kind of relationship in ethical ways, I wanted to avoid the complexities of therapeutic professions in the empirical part of my study. Thus, clinical social workers were not eligible to participate. As well, my professional background is in education and social work. When interviewing other teachers and social workers about professional ethics and practice, my familiarity with these fields (especially the discourse of ethics in these fields) was helpful

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<sup>18</sup> The way in which the client’s feelings are directed onto the therapist and how the therapist might also direct feelings toward the client.

for developing rapport and understanding a common professional language. Based on the aforementioned considerations, I chose to interview K-12 teachers and non-clinical social workers who became foster or adoptive parents to youth who they first met in professional contexts (see Appendix A for the full recruitment advertisement). During the recruitment process I decided to allow “legal guardians,” as well as one informal / temporary care provider, to participate.

The University of North Carolina at Greensboro Office of Research Integrity approved my study with “no more than minimal” risk to participants. I created and shared materials for informed consent and measures for confidentiality. I began recruiting for participants and wanted to identify a purposeful sample of four to six. I intentionally selected a small sample because the interviews are only one component within this broader interdisciplinary project. With somewhat narrow eligibility requirements, I selected participants with “lived experience” relevant to the focus of the study, who were “willing to talk about their experience” and who were diverse enough from one another to enhance possibilities of rich and unique stories of the particular experience (Polkinghorne; Van Manen, 1997)” (Laverty, 2003, p. 18). To begin, I initiated a national recruitment strategy that included advertising through personal and professional networks, various foster care and adoption organizations, “LinkedIn” groups and various child welfare-related and professional listserves.

Between March and June of 2014, I conducted seven semi-structured interviews with three public school teachers and four social workers. The duration of each interview was approximately 60 to 75 minutes. Most interviews were conducted over the

telephone, and two were conducted in-person. I recorded and transcribed all of the interviews.

I designed interview questions with two purposes: to elicit experiential narratives of what happened and to inquire into how professional constructs (e.g. codes of ethics) may have figured into participants' understandings of their experience. In this sense, interviews had both a phenomenological slant (i.e. "prereflective experiential accounts") as well as a hermeneutic one (i.e. ways phenomena can be understood) (Van Manen, 2014, pp. 314-317). Following my interview protocol (see Appendix B), phenomenological questions included:

1. Tell me a little about how you came to become a social worker [or] teacher?
2. Briefly, tell me a bit about your professional life as a social worker [or] teacher.
3. I want to talk with you about your relationship with your foster [or] adopted child.  
I am mostly interested in your description and perception of how the relationship developed. How did you first meet? When?
4. Talk a little about the nature of your professional role with [agreed upon pseudonym]?
5. How did your relationship develop over time?  
(Probe for how the relationship felt and what responsibilities were felt.)
6. When and how did you first realize you were becoming personally involved with [agreed upon pseudonym]?

(Probe for moment or markers that set this relationship apart from other “professional” relations. What felt different? What was circumstantially different?)

7. Describe your thoughts, feelings and questions as you began to consider becoming the foster parent or adoptive parent of [agreed upon pseudonym].

Questions dealing with hermeneutic analysis of professional content and constructs included:

1. Do you recall any education or training on *professional ethics*?  
(If little response, probe with questions about conduct that might be considered unprofessional and how that was learned.)
2. How familiar are you with *professional codes of ethics* in your field? What do you consider as the most important or useful aspects of professional ethics?
3. As you became more personally involved with [agreed upon pseudonym], did you have any concerns that your *professional role and duties* may be compromised by your personal involvement?  
  
If so, how did you go about addressing or resolving those concerns?  
  
(Probe for conversations with supervisors, colleagues, family, friends. Was there any evidence of internal conflict or ambiguity about the shift from professional to personal?)
4. At the time you were considering foster parenting or adopting, what was your understanding of “*professional relationship boundaries*”?
5. Did you feel like you might be *crossing a line*? Why or why not?

6. Did anybody else (colleagues, friends, family) think that you might be *crossing a line*?  
  
(Probe for social approval or disapproval or social feedback from both professional and personal circles.)
7. Did you experience any *professional costs or repercussions* from moving from a professional role to a parental role with [agreed upon pseudonym]?
8. How would you describe your *ethical responsibilities* in this situation?
9. How has your perspective on *professional relationship boundaries* changed over time?
10. Is there anything that I did not ask about that you'd like to share or that you think is important to my study?

I describe interviews as “semi-structured,” because I invited conversational exchange and asked unscripted questions for clarification and additional information. During all of the interviews I selectively shared information about my own experience with becoming a foster parent. As stated on the interview consent form (see Appendix C), I explained:

I am interested in how professionals experience ethics when a relationship shifts from professional to personal. In 2002 I became the foster parent to a young man who I met while serving as his social worker. Based on my experience of navigating professional norms and codes of ethics, I am interested in how others experience and understand similar situations. By talking with others who have crossed professional life / private life boundaries in the process of becoming a foster or adoptive parent, I hope to explore and find meaning within complex issues of professional identity and ethical responsibility. In this dissertation, I explore the ethical dimensions of professional boundaries, codes and practices within the spaces of one-to-one encounter.

I chose to introduce and describe the study by acknowledging my personal connection to the topic. Because I was familiar with my research topic through my own experiences, I was positioned closely with study participants. Thus, my position was not that of a neutral, disinterested researcher. Rather, by design, I intended to use my positionality and personal experience as a “starting point” for describing various aspects of the study phenomenon (Van Manen, 2014, p. 313).

### **Researcher Position**

Reflection on my experience as a professional becoming a foster parent and my theoretical orientation informed how I treated participant narratives. Prior to the interviews, I had never spoken with others who shifted professional involvement with a youth into parental involvement. However, I had thought a lot about my experience, and my research questions were inextricably grounded in my experience. As well, my personal narrative was immediately accessible and guided my line of inquiry into other experiential accounts of breached relationship boundaries. Within my interview questions, I used language and phrases that reflected an active discourse (e.g. “inappropriate,” “crossing a line,” “professional ethics”). While drawing from the discourse of professional ethics facilitated communication, it may have ascribed predetermined meaning onto my participants’ experiences. For example, framing my inquiry in terms of “professional ethics” resonated with some participants, while others had not thought about their experience in terms of “ethics.” I examine these discursive phrases and expressions in a later section of this chapter on ethical discourse.

While I found myself identifying with some aspects of participant narratives, I also tried to maintain a reflexive sense of self-awareness of my reactions to participant answers and descriptions. Noting the various uses of the term *reflexivity* in qualitative research literature, Glesne (2006) understands it as meaning "... that you are as concerned with the research process as you are with the data you are obtaining" (p. 125). She continues to say, "you conduct two research projects at the same time: one into your topic and the other into your 'self'" (p. 126). Concrete examples of my attention to reflexivity include written notations about my reactions during the interview processes, freewriting, and reflective journaling while conducting my research.

Drawing from various personal narratives, including my own, I wanted to collect and analyze experiential materials to understand the experience under study and generate possible meaning. The personal narratives within this study hold potential to speak back to a master narrative of professional discourse. Corey (1998) claims the potential of personal narrative to "disrupt" and "rewrite" the master narrative. He explains, "The personal narrative swings between the public and private, between what is said and what is thought, between the individual and society, between the regulations of language and the regulations of the body . . ." (p. 250). As told by the "master narrative," the phenomena of this study could be explained as "poor professional boundaries," which precludes any ethical possibility in boundary transgression. The "master narrative" would be the dominant professional discourse on ethics, roles and boundaries. Based on my theoretical orientations, I anticipated that through their personal narratives, my



participants would have something different to say in response to prevalent ethical discourse in social professions.

While my personal narrative is deeply relevant to my subject of study, ongoing reflexivity helped me maintain an open, receptive stance toward comments made by the teachers and social workers in my study. According to Guba and Lincoln (2005), “Reflexivity ... demands that we interrogate each of our selves regarding ways in which research efforts are shaped and staged around the binaries, contradictions, and paradoxes that form our own lives” (p. 210). Upfront transparency about my personal connection to the study and ongoing reflexivity concerning my interpretation of participant interviews served as critical tools for tempering my voice in the process of research and representation. Potential tensions and differing textures between my narrative, the narratives of my participants and my theoretical/philosophical lens required a research practice of ongoing reflexivity.

### **Narrative Summaries, Coding, and Methodological Orientations**

After transcribing all interview recordings, I wrote a two or three page narrative summary of the key ideas and issues raised by each participant. Moustakas (1994) includes “individual textural description” as part of the process of analysis in phenomenological research. He explains that verbatim transcribed interviews from each participant are used for developing textural descriptions of each participant’s experience (p. 133). I refer to these as *narrative summaries* and developed them for multiple reasons and uses. First, I wanted to gain deeper familiarity with lengthy interview transcripts via reduction into a descriptive story. This practice helped me to find internal structure

within each interview and focus on pre-reflective experiential accounts. Pouring through, reducing and summarizing material from each transcript also facilitated and deepened my familiarity with them. Second, I wanted to represent each participant's story holistically as much as possible. While qualitative methods like coding and analysis treat data collectively and operate through composite, maintaining the holistic integrity of each story upholds narrative elements of human experience – including uncertainties and contradictions. Chopped up and arranged into categorical themes, these human elements can be lost or fade into background. Each narrative summary for my seven participants is available in Appendix D.

My third reason for writing narrative summaries involved augmenting the trustworthiness of my research through “member checking.” Glesne (2006) defines “member checking” as “sharing interview transcripts, analytical thoughts, and/or drafts ... with research participants to make sure you are representing them and their ideas accurately” (p. 38). I sent each participant a copy of his or her narrative summary and asked that he or she review it and check for agreement with “how I represented your story, thoughts and comments.” I requested that participants provide me with clarification about any inaccuracies. Five of my seven participants responded to this request. I adjusted and revised narrative summaries according to the feedback that I received.

While writing narrative summaries, I also began coding interviews manually. Coding involved labeling and categorizing bits and segments of interview data and managing organizational schemes for codes. Through processes of coding, recoding and

codeweaving, I identified themes and concepts through patterns of similarity. Saldaña (2009) describes codeweaving as a “network of relationships between and among concepts” that is developed by considering “how individual components of the study weave together” (p. 36). Following Saldaña’s (2009) explanation of coding as a heuristic, a means of discovery that leads to interpretation and analysis (p. 8), I did not treat my codes as analysis. Rather interview codes led to themes, which led to an interpretive analytic process of writing and reflection.

As previously noted, some of my interview questions included common phrases from professional ethical discourse. These questions involved a priori constructs and concepts for participant consideration in order to develop specific information for analysis (Van Manen, 2014, p. 319). For example, I asked participants about *professional codes of ethics* because that is a specific subject of my research question. Asking about codes of ethics helped me address the question: “*how did you experience the social messages and internalized constructions of professionalism and professional ethics within your decision to become a parent or guardian to a young person?*”

Other questions elicited open-ended description of participant experiences.

Writing from a phenomenological point of view, Van Manen (2014) states:

...[W]e are not primarily interested in the experiences of our so-called subjects or informants for the sake of being able to report on how this or that person experiences or perceives something. Rather, the aim is to collect examples of *possible human experiences* in order to reflect on the meanings that may inhere in them. (p. 313)

Given that my research questions concern both experiential description and meaningful interpretation, I attempt to balance both traditional qualitative inquiry with specific sensitivity toward phenomenological inquiry – questions of pre-reflective, experiential description. With phenomenological interest I respond to the question: *“What is the experience of moving from a professional role to a parental role with a young person like?”* I also regard Van Manen’s (2014) understanding that the “phenomenological tradition” would not be “commensurate with abstracting, coding, and procedural approaches ... looking for recurring concepts or themes; and so on” (p. 319). Therefore, I attempt to use coding and analysis with sensitivity toward the descriptive meaningful accounts that participants share without doing purely phenomenological interviews or analysis. In other words, I do not claim to use phenomenological methodology (e.g. eidetic reduction) but do draw analytical insight from phenomenological research and philosophy.

I developed three analytical categories for themes that resulted from coding. First, I contextually describe the situations of both the child and the professional. What kinds of kids did professionals in my study adopt or foster? In what occupational contexts did the professionals in my study become parents to these youth? Second, I analyze general themes regarding actual experiences and my participants’ understandings of their experiences. I identify three broad themes: (1) absence of choice; (2) sense of responsibility and (3) the ethical arc of rules. Third, I write critical notes about the discourse of professional ethics that problematize and complicate interview data. I consider discursive phrases or expressions to be meaningfully produced by and

constitutive of professional ethics. I present all of these analyses in the following section. I conclude this chapter with three findings: (1) Participants were not overly constrained or prevented from ethical action by professional codes of ethics or agency policies. Some participants had to maneuver around and navigate through concerns about dual relationships. Given that all of my participants were recruited after taking on parental roles with former students and clients, this finding was expected; (2) Bauman's (1993) description of a nonrational moral impulse and moral responsibility seems resonant with participant descriptions in my study; (3) In order for statements of professional ethics to remain relevant to everyday professional practice, statements must engage with research on empirical ethics in professional practice.

### **Professional and Child Contexts**

Seven qualified study participants responded to recruitment advertisements and agreed to be interviewed. I provide an overview of participant characteristics and "child/youth" descriptors in Table 1. I used alias names for all participants, and adult participants provided all information pertaining to the youth. Participant composition spread across a wide representation of work settings, providing a diverse sample of social professions. Teacher participants included one former teacher who had moved into administration and one former administrator who had returned to teaching. So, two study participants had professional experience as both administrators and teachers. Social worker work settings included Child Protective Services (CPS) case management, community-based advocacy, residential mental health (non-therapist), and immigration case management. One social worker also had teaching licensure credentials.

**Table 1. Select Characteristics of Study Participants and Youths**

Regional location	Suburban midwest (1) Urban northeast (2) Northeast (2) Urban west coast (1) Rural southeast (1)
Gender	3 males, 4 females
Profession	4 social workers; 2 teachers; 1 school administrator
Form of professional introduction	“in my class” (2) “on my caseload” (4) “attended the school where I was principal” (1)
Form of parenting	Legal adoption (3) Licensed foster care (1) Legal Guardian (2) Informal/Temporary (1)
Child / Youth descriptors	<ul style="list-style-type: none"> <li>• <b>Betty and Veronica</b> - 16 year old, “special needs” female in foster care and her 14 year old sister [adopted by <b>Timothy</b>]</li> <li>• <b>Rick</b> - 15 or 16 year old, undocumented male who needed guardian to stay in the U.S. [guardianship with <b>Suzanne</b>]</li> <li>• <b>Pedro</b> - 17 year old, undocumented male with chronic illness [adopted by <b>Sylvia</b>]</li> <li>• <b>Jenny</b> - 8 year old female whose mother was briefly hospitalized for mental health treatment [informal parenting with <b>Michelle</b>]</li> <li>• <b>Chris</b> - 9 year old male with behavioral issues in foster care [adopted by <b>Josh</b>]</li> <li>• <b>Jason</b> - 17 year old, homeless male who needed a legal guardian for immigration case [guardianship with <b>Alexa</b>]</li> <li>• <b>John</b> - 15 year old male who was homeless after his mother left town and his older brother was arrested [foster care with <b>Mark and Liz</b>]</li> </ul>

All participants provided all information pertaining to the youth. Participant composition spread across a wide representation of work settings, providing a diverse sample of social professions. Teacher participants included one former teacher who had moved into administration and one former administrator who had returned to teaching. So, two study participants had professional experience as both administrators and teachers. Social worker work settings included Child Protective Services (CPS) case management, community-based advocacy, residential mental health (non-therapist), and immigration

case management. One social worker also had teaching licensure credentials. All participants were educated and credentialed in their professional fields, and several held graduate degrees (three with Masters of Social Work) and multiple teaching / school administration licensure areas.

Examination of the “child/youth descriptors” in Table 1 shows that they were mostly older children or adolescents with untenable living or residency arrangements. Three of the youth were in foster care or headed to foster care and two were “undocumented” residents in the U.S. While each state has its own criteria for “special needs adoption” (the most vulnerable and difficult-to-place youth in need of adoption), most states qualify youth as “special needs” when they are older than six or eight and are members of an ethnic or racial minority group (Children’s Bureau, Child Welfare Information Gateway). By that definition, all of the youth mentioned in this study qualify as “special needs.”

The youth for which professional care-providers crossed professional boundaries and roles were, by any assessment, in desperate need of help. Some of their circumstances were potentially life-threatening. Describing Pedro, a seventeen year old and newest addition to her CPS caseload, Sylvia explained, “He’s in a coma; he’s illegal and he has end-stage renal failure and he has no family and he has no money.”

Reflecting a little further, Sylvia remarked:

His situation was so horrible that I knew that he would die if I didn’t take care of him – this was not like TV where they may die. He was going to die if I hadn’t taken him. There was nobody in the world interested in taking that boy.

In a different situation, art teacher Suzanne described an undocumented student in her class whose father was dead and whose mother lived in Africa. School administrator, Mark, reported on a fifteen year old former student who was suddenly homeless after his older brother was arrested. All of my study participants found themselves in positions of relation to young people with overwhelming, almost incomprehensible, needs. Some relationships went on for quite a while before the professional adult decided to pursue a parental relationship with the young person. Others responded immediately before a relationship had even developed. Sylvia, for example, met Pedro when he was in a coma in the hospital and brought him to her home as soon as he was discharged.

While desperate for help, the kind of help that was needed was not the regular assistance-by-procedure help routinely provided through professional service and duty. Feeling “helpless” in her case manager role, Alexa described:

... [O]ne of Jason’s biggest obstacles was being homeless and everything that comes with that. And, um, and you know, I have access to shelter and I have facilitated this housing and that housing and an independent living program and, and it was at a point that I could see that making referrals, talking to supervisors, doing the case work thing was not sufficient for him to become housed because what he needed was a different way of dealing with him and a different type of relationship and just a whole different type of support.

As Jason’s immigration case manager, Alexa could piece together various referrals and services for Jason. However, over time she lost faith in the efficacy of piecemeal services. Her professional experiences with Jason led her to understand his need for a “different type of support.” The kind of support he formally received—legal immigration services or housing services—belonged to a fragmented, commodified, professional



market of care. While technically his needs were provided for, Jason lacked close relational support. This became clear to Alexa as she continued to search for a potential legal guardian until Jason directly asked, “Why can’t you do it? Why are you looking for somebody else?” That is when Alexa said to herself, “Okay. I need another job” in order to become Jason’s legal guardian.

The youth for whom professionals became parents were in dire circumstances with few to no options. The professionals, seemingly competent and thorough in their professional duties, understood the proffering of professional care or help as an inadequate gesture in the context of the challenging needs of these youth. So, these professionals moved to the periphery or “shadows” (Doel et al., 2010) of their formal professional identities and duties and pursued parental roles and relations with the young people in their charge. In doing so they had to navigate professional structures (e.g. rules, supervision, operational processes, knowledge, ethics, etc.) in their specific work settings. In the processes of navigating and maneuvering, they also demonstrated responsibilities through their actions to resolve real-life ethical problems.

When telling others that they intended to pursue parental relations with youths in their professional care, participants received feedback from their supervisors. Feedback was quite varied. Some received full support from their supervisors. Suzanne’s Assistant Principal was the person who suggested that she consider adopting her art student, Rick, in the first place. Sylvia’s CPS supervisor advised her to write “placed with a home” and close Pedro’s case file. Josh described his supervisor as being “very supportive of me all the way around.” Other supervisors were more reticent and presented formal

complications. In Timothy's case, the Special Education District Office wanted to move his student Betty to a different school and indicated that it would be "improper" for her to remain in Timothy's classroom. Timothy, who himself was a former school administrator, fought the recommendation to move Betty on the basis that she had experienced enough change in her life and switching schools would not be good for her. Timothy appealed to the district superintendent who helped negotiate an alternative solution wherein Betty could remain at her school without being enrolled in Timothy's classroom.

Alexa, the only participant to resign from her job prior to becoming her client's legal guardian, recalled her supervisor's response when she explained why she was resigning. She recalled that her supervisor questioned her ("Are you sure you want to do that?") and implied that she might be ruining her career. Alexa qualified this by emphasizing that there wasn't anything specific that her supervisor directly said or did, but concerns about behaving "unprofessionally" were "implied."

I also asked participants about feedback they received from family, friends and colleagues. Again, participants received a wide range of feedback. Feedback included strong support ("What a wonderful thing") to general concern ("Do you know what you're getting yourself into?") to fear ("You don't know anything about his family...; they could be drug smugglers; they could come in your house at night and slit your throat") to abdication of responsibility ("It's Mexico's problem; just give him to Mexico"). Timothy mentioned concerns about the perception of possible favoritism, particularly with parents, in the case of a teacher giving grades to his own kid. As well,

Josh mentioned some colleague “friction” when someone suggested that he was “grocery shopping for a kid.”

The overall social or professional contexts in which study participants became parents might be described as generally supportive but cautious. Concerns about the risks and uncertainties of committing to a parental or guardian role with “special needs” youth were voiced through feedback that cautioned or questioned personal involvement. Such careful, cautionary messages should be expected in a society that calculates risk and sells security. “Moral minimalism” (Stivers, 2004) and “disembedding mechanisms”<sup>19</sup> (Giddens, 1999/1990) shift confidence away from local, personal relation and relocate trust within abstract capacities of institutions (Smart, 1999, pp. 6-7).

### **Theme 1: “Something That Had to Happen”**

Against the standard procedures and duties of their jobs and against vague cautions from colleagues, friends and family, members of social professions whom I spoke with for this study *did* get personally involved. Not only did they get personally involved, they overwhelmingly recall having “no choice” but to get involved. Described as an “overwhelming feeling” or “something that had to happen” or a “moral imperative” or “doing what needs to be done,” taking a parental or guardian role in the face of the needs of these young people happened, according to participants, in the *absence of choice*. With one exception, most described feeling as if there was no choice to be made.

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<sup>19</sup> Giddens’s concept of “disembedding mechanism” deals with complex relations between familiarity and estrangement. “The disembedding mechanisms lift social relations and the exchange of information out of specific time-space contexts, but at the same time provide new opportunities for their reinsertion” (1999, p. 489). As considered here, one might be estranged from the local and familiar relationship through the construction of “professional” relations.

Only one participant described struggling with her choice, which stemmed from the countervailing perspectives of others. Alexa explained, after thinking it over and discussing with others "... it was the shouldn't, and I felt very strongly that I should. But, I felt that many other people felt that I shouldn't and that might make it difficult for work."

Josh retrospectively described his experience as including someone who was "supposed to be part of [our] family." At 25 years old and married, Josh had no plans to adopt and "wasn't even considering biological children at that point." However, within three months of meeting Chris, a nine year old in a residential program for youth with emotional and behavioral challenges, the thought began to cross Josh's mind. He described feeling as if Chris was "supposed to be part" of his family and compared it to the feeling he had when he met his wife. This feeling happened quickly and "out of nowhere" but was not "impulsive." Josh explained, "... it definitely wasn't the first cute kid with a sad story I've worked with. So, it wasn't an impulsive thing, it was just a sort of an overwhelming feeling... ."

Other participants used similar language to describe their experiences. The two following descriptions were offered after I questioned each participant about where his or her sense of responsibility came from in the situation. With this question, I hoped to explore how participants understood sources of ethical action and responsibility. School administrator Mark explained that there was nobody else to take him in and "... bottom line, it just felt right." Michelle worked in foster care / family reunification with Jenny and her mother. When Jenny's mother was hospitalized after a suicide attempt, Michelle

agreed to take care of Jenny temporarily (for about one month). During our interview I specifically asked Michelle to describe her “ethical responsibilities” in the situation. She reflected:

So, I felt like, I really felt like I just didn't have a choice. So, I felt a very strong ethical responsibility because as I said I had no idea if the state were to get involved where it might place Jenny and what destruction and trauma that might cause her. And the mother didn't have any other family or friends at that point to be able to step in. So, it was very clear to me, even though there was a little, I was a little nervous at first, and I wasn't used to having a kid around all the time. But, this is like something that had to happen . . . .

Participants' concurrence in describing “something that had to happen” or an *absence of choice* resonates with how I have described my own process of entry into foster parenting a former “client.” On many occasions I have said that there was no decision to be made; it just happened.

While all participants demonstrated strong, descriptive verbal skills, they struggled to convey their experiences within the confines of rational explanation. At the end of my interview with Michelle, she remarked, “Some of those questions I didn't have a coherent answer to.” Perhaps, the experience of getting personally involved was nonrational and, yet, participants were being asked to explain their experiences rationally. The following exchange between Josh and me demonstrates the incongruence of a logically coherent explanation and the nonrationality of Josh's experience:

Troy: ... that notion of staying distant and not getting too involved – um, did that come up at all for you?

Josh: Um. I wasn't really able to do that. I think that would be – you know, I think that's how I knew that I needed to move forward. I think that I was very aware that I was not going to be able to do that.

Troy: Okay. Yeah.

Josh: To stay completely on the sideline and to sort of treat it like any other case that I had been involved in. I just, it was a very different feeling from the offset.

Troy: Can you describe – I'm sure you've thought about it a lot. ... do you have any words for exactly what it was about this kid that was different for you?

Josh: Yeah, um, you know I think there's some sort of *spark* with him. You know, what he's experienced in his life trauma-wise and what he's been through, it's absolutely amazing that he is the person that he is ...

Troy: ... Has your perspective on professional relationship boundaries changed at all since – through this experience?

Josh: Um. I don't think so, but I would say I think – I think that before this experience, I think that if you had asked me, um, about that type of situation, I would have a really hard time understanding it. I think I would – I don't know that I would say it was wrong or unethical but I think it would be hard for me to understand how that would transpire.

Josh remarked that he was unable to stay on the sidelines. Perhaps he was actually unable to stay within the rational center of professional ethics in the face of a nonrational moral demand. Bauman (1993) claims, “Moral phenomena are inherently ‘non-rational’” (p. 11). For Bauman something is “moral” only if it precedes considerations of “purpose and calculation” (1993, p. 11). Josh successfully maneuvered within the rational center of professional ethics and boundaries by working with his colleagues to effectively end his professional relations with Chris and begin parental relations. However, the initial “moral impulse” seems outside of the “learnable knowledge of rules”—with a “*spark*,” of

sorts—and more likely within the “moral self” that’s “constituted by responsibility” (Bauman, 1993, p. 11).

### **Theme 2: “Responsibility for a Child that Goes Beyond the Classroom”**

Within the second theme of my analysis, my participants describe a broad sense of responsibility to the youths. While participants were sensitive to *professional* responsibilities, they also acknowledged areas of overlapping *human* responsibilities. School administrator Mark put it this way: “That’s my job and I have certain responsibilities and, yes, I’m expected to be professional and all that. But also as a human being, I have responsibilities and as a father and a husband, I have certain responsibilities.” In other words, Mark did not see professional responsibility as narrowly contained or separated from other responsibilities of social life. The following remark from Timothy suggests agreement with how responsibilities and commitments cut across social contexts:

There is no reason that a professional cannot do more than their job requires. Ethical behavior dictates how you conduct yourself personally in your interactions with anyone you serve. It is not to limit your commitment to only serve children within a professional capacity.

While Timothy described an ethical responsibility that coexisted with “professional capacity,” the rational rules of professional ethics code seem to challenge that. Professional boundary rules, for example, “describe the boundary between what is acceptable and unacceptable for a professional to do, both at work and outside it...” (Doel et al., 2010, p. 1867). Perhaps the move to impose rational boundaries can only brace professionalism against the impulsivity of moral action. Bauman (1993) claims,

rationality cannot "... override moral impulse; at utmost, it can silence it and paralyse, thereby rendering the chances of the 'good being done' not stronger, perhaps weaker, than they otherwise would have been" (pp. 10-11). While Timothy's and Mark's accounts do not necessarily speak to Bauman's critique of rationality, they do describe a sense of moral responsibility that cannot be overridden or dampened by professional duty.

Just as Timothy described a "commitment" beyond professional capacity and Mark described human responsibility, Alexa talked about a "collective human ethical responsibility to each other" and an "obligation" to take care of each other. Michelle mentioned a "moral imperative" and an orientation toward "social justice." The possible meanings of these phrases may be lost in their usage to explain or justify moral action. In explaining experience, phrases that reflect principles, virtues and foundations substitute for the actual experience. In this sense the aim of phenomenological research, to describe pre-reflective experience and possible meaning, becomes important.

Possible meaning of an experience may be better conveyed through description of the actual experience rather than through reflective categories of understanding (e.g. social justice) (Van Manen, 2014). For example, I asked Alexa if there was a "marker" or "moment" when she started to realize that her responsibility toward Jason was becoming more personal. Alexa recalled, "... there was a particular moment when he was beaten up pretty badly in the street and he called me right after to go with him to the police and the hospital." Recognizing her "ability to make a difference," Alexa asked, "... why am I just sitting here watching terrible things happen when there is something



more useful I could be doing?” Seeing Jason beaten-up, being called on by him and being present with him channeled Alexa’s pain and frustration. If her limited professional role meant that she had to “step back and watch this happen” and had to be “helpless” in the face of Jason’s suffering, then she responded with a “strong desire” to “do something more to protect him.”

Alexa’s comments lead to a subtheme of the connection between responsibility and privilege. Simply stated, recognition of one’s privilege gives rise to one’s responsibility to act. With the “privilege of having the ability to provide what’s needed,” Alexa felt a strong “moral imperative to do it.” She explained, “I had space; I had time; I had emotional availability.” Michelle also connected “privilege” to responsibility. Reflecting on her decision to take in Jenny while Jenny’s mom was hospitalized, Michelle stated:

Like to me, I felt like I had, um, the privilege in that situation of like having this apartment with this extra space for Jenny and just being able to – not having suffered what this mother had suffered and being able to step in as a community member and friend who helped her get through this time. You know as a single mother dealing with all these issues. So, I felt like, I really felt like I just didn’t have a choice.

To summarize, participants described responsibilities to the youth in their stories from perspectives and frameworks that layered over and beyond their professional identities and obligations. Throughout the interviews participants explained their responsibilities with rational constructs like “privilege” and “justice.” However, as Alexa’s story reflects, being in the presence of suffering initiated response outside of a rational order. Alexa quit her job, left the social work profession for a while and went

through a period of unstable income when she decided to become Jason's legal guardian. This gives credence to Bauman's (1993) idea of a nonrational moral response. In this sense, one is constituted through moral responsibility rather than constituting moral responsibility through oneself (p. 13).

### **Theme 3: The Ethical Arc of Rules**

Participants described complex relationship to and interpretation of professional rules. Rather than doing professional tasks by simply following rules, participants responded to rules situationally and questioned their purpose and how they might affect those involved. In this sense, rules were examined critically. The following reflection from Alexa provides introduction to the third theme: the ethical arc of rules.

... [I]f I feel there's some rules I want to know why they're there and what's the purpose of them and do they help or do they not help and, you know, I believe in civil disobedience. ... [I]f there are rules that are not good, should we change them or should we break them or both? ... I think they can put a lot of space between the social workers and the people that we work with and kind of take away from humanity ... Like, how am I defining this relationship in my head, how am I defining it out loud or on paper and then like what implications does it have for humanity and everybody involved.

For Alexa, the ethical arc of a rule expands well beyond the particular professional institution. She suggested possible situations in which changing or breaking rules would contribute to "humanity."

Other participants identified rule-subversion or rule-breaking within their narratives. After Sylvia took Pedro from the hospital to her home, the case was closed and nobody followed up as was "normally" done. Sylvia suspected this was because

Pedro was nearly eighteen years old. Suzanne did not turn Rick over to the foster care system, because he could “end up anywhere” as a ward of the state. She and her school wanted to keep him “in the school,” so she stepped in to pursue guardianship. Michelle agreed to take Jenny to avoid a more disruptive, out-of-community placement with child protective services. In each of these cases, procedural rules were subverted for reasons of better serving the child and community.

In other cases, rules were navigated or maneuvered. Josh worked within professional concerns about dual relationships. Josh recalled, “... because I was working in this house, um, and we all of course felt very strongly, he couldn’t come start doing visits to my house while we were still in that situation. That wouldn’t have been appropriate in that context.” Josh explained that home visits would not have been “appropriate” or “ethical” because other residents might perceive “special treatment” for Chris, and it might create “confusion” for Chris. The treatment team resolved the issue by moving Chris into a temporary community-based foster home and out of the residential program so that he could start visiting Josh’s home as part of pre-adoption procedures. Josh was pleased with the treatment team’s “solution” and describes it as an outcome of “creative thinking.”

Josh’s story reveals professionalism’s rational bias toward clearly defined roles and duties. Professional rationalism generally functions to resolve ambiguity. Josh’s relationship with Chris could not double-up as both “parent” and “team leader” in the residential program where Josh worked and Chris lived. That kind of confusion “should” be resolved even if that meant moving Chris into a temporary placement. Josh supported

how the concerns were resolved stating that Chris had a goal of moving into the community anyway and Josh, too, wanted to avoid potential confusion. Nonetheless, might this be an example of the rational tail wagging the moral dog? In terms of *moral* response, isn't some confusion and ambiguity to be expected? Bauman (1993) suggests that morality is incurably aporetic. "The moral self moves, feels and acts in the context of ambivalence and is shot through with uncertainty" (1993, p. 11). How, then, does professionalism's rational bias interact with morality as Bauman describes it?

While addressing a range of critical issues regarding professional rules, rule-following and rule-breaking, participants also provided examples of non-negotiable rules. Of these, prohibitions on sexual relations with a student or client were mentioned most frequently. Even participants with substantial misgivings about professional rules agreed that some things were "out of bounds" and inherently harmful. Professional codes and rules tend to be written around legalistic prohibitions. The kind of child-focused involvement and moral commitment that my participants described was not inspired by, or sustained in, professional rules or ethics codes. Nobody cited professional ethics as a source of affirmation on his or her way to becoming a parent. Timothy expressed frustration with this aspect of professional rules. He said, "Rules are written to enhance everybody's life. Rules are written to improve things. They're not made to catch things. That's not what they're for."

In recent scholarship on "rogue" or "rule-bending" social workers, Weinberg and Taylor (2014) found that rule-abiding practitioners occasionally bent rules to manage or cope at work. As well, practitioners who placed less value on the rules sometimes turned

to them for similar reasons. They conclude by recommending that professional ethics refocus on the “situated nature of practitioners’ work and not solely on cognitively-based universal sets of principles such as those enshrined in ethical codes” (p. 84). Based on my analysis of participant narratives and my own experiences, I concur with this recommendation. The “ethical arc of rules” bends differently in each situation. When asked to describe “professional ethics,” Sylvia declared, “Do what you can and if it’s unethical try to make it ethical.” Like a ball compass in motion, looking for direction and spinning this way and that as it tries to orient itself, the ethically mindful practitioner must be aware of moving relations to everything else. Sometimes responding to the situation may lead to action that’s outside of professional procedure. Michelle explained her decision not to contact Child Protective Services for Jenny: “... getting the state involved is so clearly doing so much harm on so many different levels. So, in that sense, I felt like I was able to ‘do no harm’ and respond to the situation.” As a useful tool, the compass has to respond, spin around and find new orientations to “make it ethical.”

### **Some Critical Notes about Ethical Discourse**

Discursive practices have a powerful role in shaping experience and reality (Dybicz, 2012). Ethics codes serve as depositories for “official” discourse (as determined by professional associations); however, discursive practices and “moral talk” occur in the geographies of professional practice—team meetings, supervision meetings, conversations between colleagues, media coverage of professional misconduct and so on. Brodwin (2013) explains that “moral talk” addresses “everyday experience” and is expressed “idiomatically in the midst of ongoing social life” (p. 15). Moral talk and

normative ethics (codified ethics) are deeply interwoven and “co-produced” (p. 15). They also both contribute to forms of self-regulation within professional communities. Analysis of the discourse of ethics in professional life is an important area for further empirical research and future study.

As mentioned earlier, I introduced some predetermined phrases or expressions in my interview questions. These included phrases like “crossing a line” and “inappropriate.” These phrases are meaningful and familiar in the context and discourse of professional ethics. Norms are coded into language. Language must be decoded to identify and understand the operations of norms. The use of the word “inappropriate” in the context of professional behavior—for example, “it is unethical for a teacher to have an *inappropriate* relationship with a student”—signifies social discomfort with student/teacher sexual involvement. “Inappropriate” references a norm (prohibition of sexual relations) without naming it. Drawing from Foucault, Dybicz (2010) explains:

...[A] discourse is a linguistic structure (i.e. an alignment of signifiers) that acts as a template for ordering empirical knowledge in such a way as to conform to particular truth claims, and in so doing, facilitates the production of knowledge. It determines the possibilities of what questions are to be asked in the search for truth, and consequently, the answers at which one arrives. (p. 24)

Thus, ethical possibility is connected to discourse. We are challenged to imagine that for which we have no words. Although I am not conducting a discourse analysis of professional ethics or a conversation analysis of my interviews, I want to share some critical notes about ethical discourse and discursive practices. Notes about discourse are scattered throughout my dissertation. Here, I specifically contextualize part of my

interviews into the dominant heteronormative discourse and address how the production of ethical discourse may constitute an ethical subject, in this case, the professional.

My examination of interviews for ethical discourse revealed content about sexual conduct. When asked about professional ethics, Mark responded:

You know the obvious thing is you don't want to have, um, any type of relationship that's inappropriate with students. That's the big, huge "no, no" – always has been, always will be and always needs to be, you know, a big "no, no" in terms of inappropriate relationships.

When asked to clarify the meaning of "inappropriate," Mark said, "It is sad, and to me very upsetting, but as you know sometimes educators choose to have sexual relationships with their students." In answering a question about "professional relationship boundaries," Timothy brought up "cases against teachers" involving "dating situations." While speaking of what is useful about ethics codes, Sylvia recalled an MSW colleague who had sex with a client and "lost" his job. She queried, "I mean adopting is one thing but having sex with a child?" In terms of the out-of-bounds, inappropriate or unethical, sexual conduct seemed to have a somewhat regular place in my interviews. From a Foucauldian archaeological approach, which is concerned with description of regularities (Kendall & Wickham, 1999, p. 26), references to sexual conduct occurred regularly in discussions about professional ethics.

Describing Foucauldian archaeological research, Kendall and Wickham (1999) draw attention to how "statements and visibilities *mutually condition* each other" (p. 25). "Knowledge is composed of the sayable and the visible, or words and things. ... Foucault draws our attention to the dynamic, mutually conditioning relationship between

words and things” (p. 27). Drawing from Cavanagh’s (2007) research on teacher sex scandals and queer pedagogy, media coverage taps into social anxiety and heteronormativity and contributes to making sexual conduct a highly visible aspect of professional ethics. Barrett et al. (2012) report that popular media has recently focused on teacher misbehavior with stories of “sexual harassment of students by teachers and intimate relationships between teachers and students” (p. 890). Media coverage of teacher sex scandals produces visibility, and that visibility produces statements about professional ethics. In turn, professionals take up issues of ethics and boundaries within conditions of a discourse that already situates them.

Professional ethics codes operate similarly in that they too produce statements about ethics and create visibility. In both cases of media coverage and codes, statements and visibilities produce ethical positions of professionals. “The attempt to analyse the positions which are established between subjects in regard to statements focuses on the way statements produce subject positions – ways of being and acting that human beings can take up...” (Kendall & Wickham, 1999, p. 27). This matters because all of the predetermined phrases and expressions in my data are part of an archaeological field that produces subject positions. In this sense, analyzing relationships between statements without focusing on the author’s particular meaning may be a useful analytic approach.

How might statements from participant interviews and narrative summaries reveal the conditioning of what is knowable or sayable? We might look at Josh and Alexa’s different handling of dual relationships. Both Josh and Alexa expressed concerns about having a dual relationship with a client. Relationship boundaries are intended to “create



separation between the professional relationship and other relationships” for the purpose of avoiding situations where the client might be subject to harm and situations in which the practitioner might lose objectivity (Alexander & Charles, 2009, p. 7). Josh said that he did not want “to do anything unethical or inappropriate in the context of work.” He also described the likelihood of confusion that might arise in a dual relationship with Chris—having one role during the week at the residential program and a different role on weekends during home visits. Alexa explained that it “would have been inappropriate to have dual roles with Jason, in that when I was at work I would be his case manager and at home I would be his parent. ...[O]ne role would complicate the other inappropriately.” Josh worked to resolve the problem of a dual relationship within his professional setting, whereas, Alexa felt that she needed to quit her job to resolve concerns. When asked if she felt like she might be “crossing a line,” Alexa replied, “Oh, yes. Definitely.” She explained her decision to quit her job and exit the social work profession saying “... maybe I didn’t have to [change professions] but it felt like I had to.”

For Alexa, the conditions of being a professional social worker were not workable with the guardian relationship that was developing with Jason. She felt like she had to quit her job and leave professional social work. To do otherwise would be crossing a line. This feeling could be based in Alexa’s individual situation—something about her that caused her to perceive the situation as she did. It could be related to her work setting climate and the kind of supervision she received. It could be related to any number or combination of factors. However, if we treat her statements, “it felt like I had to [quit]” and “I felt like I was ‘crossing a line’,” as a significant difference between her and Josh

(whose concerns were “alleviated” with the support of his supervisor), how might examination of discourse provide insight into this difference? Paying attention to social norms and the discourse of child welfare and professional ethics may shed some light.

Josh was 25 years old when he and his wife decided to adopt nine-year-old Chris. Alexa was 28 years old and single when she chose to pursue guardianship of 17-year-old Jason. The heteronormative, protectionist discourse of child welfare and clear rules about sexual conduct in the professional ethics discourse could account for some of Alexa’s feeling that she had to quit her job. A married, heterosexual couple adopting a nine-year-old is read differently than a single, young woman serving as guardian to a 17-year-old boy. Referencing the work of Deborah Britzman, Cavanagh (2007) uses queer theory to challenge structures of normalization. In her research, she focuses on student/teacher relationship in classrooms and describes a normative, heterosexual futuristic agenda (p. 21). Cavanagh’s attention to “school sex scandals” points toward both a normative agenda and public hysteria inscribed in professional codes that regulate “dual relationships.”

The preoccupation with teacher accountability and ethical codes of conduct are, in part, legitimated through a public panic about the state of the school, the teacher, and sexual morality. ... [T]he panic about female teachers’ sexual immorality has functioned to legitimate new regulatory codes of conduct and unusually harsh punishments for professional infractions of a sexual nature even when they are not, according to the courts, criminal or otherwise illegal. (Cavanagh, 2007, p. 40)

To be clear, I am not implying any sexual connotation to Alexa’s relationship with Jason. However, I am suggesting that the discourse of child welfare and child protection reads

“suspicion” onto that which is outside of narrowly-defined, heteronormative parenting. Is public suspicion simply the price of professional privilege? How do suspicion and sexuality comingle at the cusp of professional relationship boundaries? The regulatory gaze of professional ethics operates within discursive practices that push the non-normative, or the queer, to the periphery and into the shadows. Through the operations of professional ethics and discursive practices, *abusive action and moral action* are both marginalized and subject to becoming less visible, less sayable and less frequent within our social relations to one another.

### **Limitations of Interview Materials**

The interdisciplinary aspects of my dissertation study help me to pull together common ethical issues within two separate and distinctly codified professions. Under the umbrella term, social professions, I collapse social work and teaching. However, social work and teaching are different professions with different histories, knowledge-bases, skills, institutions, legal structures and ethics codes. By grouping social workers with teachers, I did not intend to blur these real differences, yet there is some danger of conflation. For example, the social workers more frequently expressed familiarity with a formal code of ethics than did the teachers. In fact, none of the teachers expressed familiarity with the NEA Code of Ethics while most of the social workers had some familiarity with the NASW Code of Ethics. Thus, by being more familiar, might social workers also be more affected by ethics codes than teachers? A potential limitation of my study lies in the possibility of overstating commonalities between social work and teaching at the risk of disregarding substantive differences.

Another limitation is that I only interviewed professionals who successfully went through with becoming parents. One must presume that other professionals have felt similarly to my study participants and considered similar action but chose not to do it or met resistance and chose not to go through with it. Perhaps in their professional contexts, more rigid understandings of professional boundaries were enforced. Doel et al. (2010) found that employers and individual managers "... seemed to be a stronger reference point than the profession" or agency code (p. 1875). To know empirically if "ethical responsibility shrinks under professional ethics code," one would need to know the extent to which under similar circumstances professionals decide not to get personally involved.

As well, I am interested in experiences of negotiating professional identity and duty against relational, moral involvement. By not having the perspectives or understandings of the youth also available, I can only address experiences as described by the (professional) participants. It is likely that the youth would describe these experiences differently. In the absence of youth perspectives, I have tried to describe the experiences of professional agents and *possible* meanings of those experiences.

### **Research Findings and Summary**

By conducting interviews with social professionals and analyzing statements and narratives empirically, I set out to better understand what professional boundary transgressions might say about professional ethics. In my concluding remarks to this chapter, I begin thinking about how this embedded empirical study balances, complements or changes the social theory and moral philosophy that I have explored in previous chapters.

In taking on parental roles did my participants feel bound-in or constrained by professional rules, codes or procedures? I do not see a clear answer to that question, but my participants (who were participants because they *did* find ways to move from professional to parent) successfully worked through any constraints they may have encountered. A few felt bound-in, but most navigated through institutionalized, professional constructs without leaving their professions. Given the significant needs of the youths and challenging situations, participants felt as if there was no choice but to respond and did not limit their responses to the expectations of professional ethics or code. Moral decision-making and action eclipsed professional identity even when decisions were made in professional contexts. This seems to support Haidt and Craig's (2004) notion of "intuitive ethics" in which people respond to moral dilemmas from an intuitive system. Haidt and Craig's meta-empirical study shows that in the face of suffering, the mind is able to develop an "intuitive" compassion/kindness response. "It seems that in all human cultures, individuals often react with flashes of feeling linked to moral intuitions when they perceive certain events in their social worlds: when they see others (particularly young others) suffering, and others causing that suffering" (2004, p. 58). "Intuitive ethics" seems plausible in light of my participants' description of an *absence of choice*. Rather than struggling or deliberating over decisions, most recalled feeling as if there was no choice to be made. If actions were initiated in some pre-reflective response or moral impulse, then they were quickly supported after the fact with rational justification and explanation.

My qualitative interview approach afforded many opportunities for rational justification and explanation of experiential materials. However, by paying attention to both description of the actual event (what happened) and explanations (participants' understandings of what happened), I tried to demonstrate sensitivity to pre-reflective description of phenomena. While participants' descriptions of their experiences seem resonant with Bauman's description of a nonrational moral impulse, such conclusions are outside the scope of my empirical methods. Nonetheless, my participants pointed toward a sense of moral responsibility that was not overridden or dampened by professional duty. Responding as if one has no choice while simultaneously feeling uncertain or ambivalent may be markers of the "moral condition" (Bauman, 1993). Further research with stronger phenomenological description of the "event" itself is needed.

My third finding relates situations of practice to codified rules. My finding, that practitioners were critically and ethically responsive to the situations that they were part of, aligns with other studies that critique rigid professional rules and recommend more situationally-responsive and relevant forms of ethics (Alexander & Charles, 2009; Bagnall, 1998; Doel et al., 2010; Weinberg & Taylor, 2014). In order for statements of professional ethics to remain relevant to everyday professional practice, statements must engage with research on empirical ethics in professional practice. For example, Alexander and Charles (2009) found that participating social workers described "openness to mutuality and reciprocity in their relationships with clients" even when "subversive of social work practice norms, which warn against dual relationships" (p. 5). Alexander and Charles confirm jointly created, bi-directional and reciprocal relations in

professional practice and critique structures (i.e. codified prohibitions on dual relations) that impede the relational creation and re-creation of self (p. 10).

An ethical arc of rules cannot be a straight line that easily bifurcates professional from client or student. As Doel et al. (2010) show, boundary zones are multiple and include professional, profession, agency, service user, personal morality, professional codes, agency policies, prevailing ideologies and cultural contexts. Arcs bend and intersect in many directions. My study participants were active agents in creating ethical situations. As Sylvia said, "... if it's unethical, try to make it ethical." She did not mean that one should simply follow the rules and procedures. Rather, she meant that one must be situationally aware, responsive, adept and caring. Doel et al. (2010) explain, "The relative absence of grey areas, the *shadows*, in agency policy documentation about professional conduct is in stark contrast to the reality of everyday practice ..." (p. 1884). In fact, the peripheral shadows that are cast under an arc of rules are only navigated ethically by being more than professional—never less than or only professional.

CHAPTER VI  
CONCLUSION: IMAGINING SOCIAL PROFESSIONS THAT  
MAKE IT EASIER TO LOVE<sup>20</sup>

There is no intensity of love or feeling that does not involve the risk of crippling hurt. It is a duty to take this risk, to love and feel without defense or reserve.

—William S. Burroughs in a letter to Jack Kerouac, May 24, 1954  
*The Letters of William S. Burroughs: 1945-1959*

In this dissertation I have reflected on my experience with professional “ethics” in social work and education and sought answers to the following central research questions:

- How does modern, techno-scientific rationalism manifest in professionalism and professional ethics?
- Do professional ethics and boundaries narrow space for being together in caring, responsible ways? How might one’s sense of responsibility to another person *shrink* under professional procedure or good boundaries?
- Does professionalism lower the stakes of professional relationship by restricting involvement?

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<sup>20</sup> My chapter title is adopted from the Preface of Freire’s (1994/1970) *Pedagogy of the Oppressed* where he mentions creating a “world in which it will be easier to love.” (p. 22).



- How do professionals experience potential friction between professional identity and human encounters that are emotionally charged, laden with complexity, and rich with ethical signification?

I have explored the ethical dimensions of professional boundaries, codes and practices in spaces of one-to-one encounter by review of the literature, conceptual analysis using theory from care ethics and postmodern ethics, and qualitative study. In this concluding chapter I summarize my findings to the research questions. I also elaborate on implications within the social professions and offer recommendations for practice and further research. I argue for the ethical potential of risk and recommend decentering rigid, static forms of professional “ethics,” prescriptions and rules. Given how normative rules are archived in professional codes of ethics, I return to queer theory and suggest a political and aesthetic queering of ethics code. I also open conceptual space for risk by discussing the ethical possibilities in freedom, commitment, and love—possibilities that are diminished under strict interpretations and adherence to ethics code. By distinguishing active, social forms of ethical behavior from rule-following behavior, I believe that the ethical periphery represents a more reflective, more sensitive zone of professional practice and returns moral responsibility to the people who are in-relation and in-situation together.

### **Summary of Findings to the Research Questions**

#### **Norming Ethics**

Most of Chapter Two described how professionalism developed as a modern project with modernist ideology. I asked, “How does modern, techno-scientific

rationalism manifest in professionalism and professional ethics?” The social professions built scientific/progressive epistemology (and discourse) with normative, teleological ethics into professional systems that operate according to market logics and State interests. The prescriptive, codified ethics rendered and maintained by social professions reflect the modern ideology from whence they were produced. Normative ethics, including professional codes of ethics, continue to shape an ethical center through discursive practices, “correct” procedures and legal protections. Professionals are guided toward a rational center where correct procedures result in good practice. The rational center of professional ethics may be taken for granted—fashioned as a measure of professional insurance and calibrated to market logics and government interests. Within the social professions, the rational center facilitates the dislocation and commodification of care by delivering new forms of monetized, professional care. As professional mechanisms, ethics codes help to maintain public trust, manage norms and contribute to State strategies for self-regulation.

I found that normative ways of professional behavior are located in codes of ethics. However, formal codes are only depositories, where norms have been archived. Normative ways of professional behavior are present across a diverse range of forms—from regimes of knowledge, to identity, to membership in a community, to policy and legal documents, and throughout discourse and language. While codes contribute to an assemblage of regulation, many other forces are in play. As well, normative ways of professional behavior are always performed or enacted in embodied expressions of *being* professional. Consistent with recent literature on professional rule-bending, the ethics of

relationships, and boundary crossings, I found that members of social professions sometimes resist narrow or rigid ways of being professional with seemingly ethical, yet rogue, action.

### **Narrowing What Counts**

The entire endeavor to articulate and enforce ethical standards of professional practice faces numerous challenges and can never work comprehensively. By way of standardization, “ethics” are inscribed in code as principles and rules. As such, principles and rules may be rhetorical, educational, regulatory or aspirational (Banks, 2003). As well, there are internal contradictions within sets of principles and rules. As the narratives of several participants from my study reflect, aspirational principles for social justice may contradict regulatory rules against “dual relationships.” I argue and demonstrate that professional codes of ethics, by process of standardization, necessarily regulate and restrict professional behavior and, thus, diminish ethical possibility.

I borrow Brodwin’s (2013) explanation of “ethics narrow” to characterize most elements of professional ethics code. Brodwin defines “ethics narrow” as “obligations and duties”—a “subset of values that people feel compelled to realize” (p. 17). Brodwin elaborates that “ethics narrow” is “... expressed in language that enjoins and prescribes, approves and prohibits, praises and blames” (p. 17). The probabilistic thinking of “rule utilitarianism” is “ethics narrow.” Within contemporary social work the logical extension of “rule utilitarianism” is demonstrated in regulation against conflict of interest that harms, potentially harms, or might be perceived to harm clients or colleagues (Reamer, 2012). As a result, rules prohibiting “boundary violations” and dual relationships are

codified. Prohibition of “dual relationships,” justified in concern about conflicts of interest, is “ethics narrow.” “Do no harm” is also “ethics narrow.” While a principle of nonmaleficence has merit and can inform rules intended to prevent action that is always harmful, it may also foreclose possibilities between risk and ethics. While presumably preventing harm, rules that try to assure nonmaleficence may also truncate unconventional or risky involvement and partnership.

### **Lowering the Stakes**

Serving to prevent harm toward those under the care of professionals, codes might be helpful to curb abuse of power but contribute little toward recognizing the moral potential of engaging with another person. Bauman (1995) suggests that designing an ethical code can prevent evil from being done by replacing moral choice with obedience or disobedience (pp. 3-4). While normative code is reasonably successful in limiting abuse, like sexual misconduct that is largely agreed upon by frontline practitioners, the unbounded possibilities of ethical responsibility exceed the scope of normative code.

Beneficence (prioritizing the well-being and interests of the Other over one’s own interests), self-determination (protecting individual autonomy and choice) and nonmaleficence (doing no harm) anchor the ethical principles and duties of ethics code among social professions. However, as I discussed in Chapter Two, such principles cannot be rationally justified in universal terms. Although principles can be codified in language and dressed up as foundational truths, they are more porous and less stable than the gatekeepers of professional enterprise are prepared to acknowledge. More importantly, these principles leave a lot out. Ethics are not generally thought of as the

simple absence of harm. If “do no harm” forecloses the risk of harm, we are then playing with less than a full spectrum of ethical possibilities. Bauman’s “moral impulse” involves risk; Noddings’ active, relational care involves risk; a Levinasian ethos of responsibility involves risk; a Foucauldian aesthetic of freedom involves risk; mutual, two-way relationship involves risk. Most basically, love involves risk. If social professions are just jobs—standard services subject to the rational exchange of the marketplace, then risk minimization and product standardization are effective business strategies. Then, lowering the stakes of professional relationship by restricting involvement makes “business sense.” However, if social professions have moral or vocational significance beyond commerce, they must be willing to engage affirmatively with the uncertainty of ethics. They must be willing to raise the stakes.

### **Practicing on the Periphery and Crossing Boundaries**

How do professionals experience potential friction between professional identity and human encounters that are emotionally charged, laden with complexity, and rich with ethical signification? Despite my description of a strong, rational, normative center, professionals continue to bend rules and explore the peripheral shadow lands. They operate in contexts, which “... variously enable and constrain their responses, including to rules” (Weinberg & Taylor, 2014, p. 77). Against structuralist descriptions of professionals presented in Chapter Two, postmodern analyses trouble notions of core essence, fixed identity and a predetermined future. Professional subjectivities and identities are fluid and sometimes splash against and through centripetal forces. In the midst of changing events and circumstances, professionals are situated in differing

subject positions (Weinberg & Taylor, 2014). Along their paths to becoming parents, the teachers and social workers from my study realized responsibilities beyond their professional roles. They described “mismatches” between available professional services and the kind of ethical responsibility that various situations demanded. As I shared in the previous chapter, Alexa described becoming aware of a mismatch by asking, “... why am I just sitting here watching terrible things happen when there is something more useful I could be doing?” She also described a growing awareness that Jason needed a “different type of relationship” and “a whole different type of support.” The possibilities of a different relationship and a different type of support freed Alexa and Jason to move into a more personal, guardian relationship. Within a situation of “changing events and circumstances,” Alexa’s actions were not determined by a fixed professional identity. Rather, her subject position changed along with her ethical responsibility.

Critique of uni-directional relationships that have been pre-defined through professional authority has been a central component in my dissertation study of ethics in the social professions. From the beginning I have been interested in how the organization of ethics and social professions affect one-to-one relationship. I have described the constructs of professionalism as limiting or binding relationships under modern, rationalist, capitalist ideologies. I particularly have described how professional ideology, discourse and structure limits the ethical possibilities of relationship. I also want to acknowledge the possibilities for more open, mutual relationships in social professions.

The imperative to protect the public from professional powers and to engender trust contributes to a “technical and bureaucratized approach to relationships,” but

relationships with clients and students are “personal as well as professional” (Alexander & Charles, 2009, p. 9). Sometimes professionals experience reciprocity of care from clients and students. However, as Alexander and Charles (2009) report, being open to mutuality or reciprocity with clients or students is often experienced as “subversive of social work practice norms, which warn against dual relationships” (p. 5). Treating relationship as “static and standardized” rather than “dynamic and variable” (p. 18) confounds the very meaning and potential of relationship. As discussed in Chapter Three, “Clients are not only potential victims of inappropriate relationships or the fortunate recipients of positive relationships initiated and led by social workers. Clients also lead the relationship by providing invitations and setting boundaries regarding desired closeness and intimacy” (Alexander & Charles, 2009, p. 18). I want to underscore the significance and relevancy of bi-directional relations. In context of the relationship between Professor Falconer and student Kenny in *A Single Man* (2009), Kenny reversed the distant, inconsequential performance of Professor Falconer by insisting on involvement. Although initially hesitant and resistant, Professor Falconer becomes open to Kenny in a momentary evening of unscripted spontaneity. Viewers of the film witness the potential of Kenny’s active participation in the relationship as Kenny reaches the Professor’s vulnerabilities and unsettles his deep isolation.

Openness, mutuality and bi-directional participation were also evident in my qualitative research on professionals becoming parents. As Alexa performed her role as case manager, she searched for a potential legal guardian for Jason. Alexa recalled that Jason eventually asked her, “Why can’t you do it? Why are you looking for somebody

else?” Through these questions, Jason actively participated in reshaping their relationship. He was not just a helpless client with needs on her caseload. Rather, he was actively creating possibilities in their relationship. Special Education teacher Timothy also participated in my research and recalled that “lots of kids” had asked him to adopt them over the years but something had always “got in the way.” Then, one day, his student Betty who was in foster care asked, and he was “in a place to do it.” So, he did. Clearly, the sense of mutual openness in these relationships led to questions of commitment and moral significance for professionals, students and clients alike.

In summary, openness to bi-directional relationship, mutuality and “elastic boundaries” can infuse professional practice with innovation and creativity. As well, it may help to redefine ethical practice from narrowly following normative prescriptions and standard routines to looking more broadly for ethical possibilities within the strengths of human relations and negotiations.

### **Queering the Code**

In Chapters One and Four I briefly discussed the potential of queer theory for troubling or breaking open assemblages of natural order. Given that dominant professional discourse, knowledge and power maintain and naturalize professional ethics code, I am interested in unsettling such productions of stability. I am not interested in unsettling the codes of ethics in social professions just to be destructive or critical or to take one more whack at professions that are already under attack or to deny the importance of guidelines or protections. Rather, I believe that unsettling and



destabilizing some of the most deeply submerged sediments of codified ethics will help bring needed oxygen into the moral imaginations of professionals.

Queering a professional code of ethics can be both a political and an aesthetic practice. A political queering challenges constructions and reifications of normalcy (Shlasko, 2006). An aesthetic queering describes a particular way of reading a text that “queers’ both text and reader” (Shlasko, 2006, p. 124). I have initiated a queer reading of professional ethics in this dissertation by taking up the “difficult space” between a signifier (ethics code) and the signified (professional agent) (Britzman, 1998, p. 213). In this case, code breaches or boundary crossings point toward something “queer” that has happened to the signified (1998, p. 213). In this concluding chapter, I extend my queering of code a bit further by addressing how professional knowledge (expertise) demarcates the unthinkable and, thus, the limitation. I also use queer theory to highlight the importance of action over the actor, doing ethics over being ethical.

The kind of ethics that is codified by social professions is a form of knowledge. Producing knowledge renders what is thinkable and also marks the limits of thought. The unthinkable is not an “originary or innocent state” but, rather, an “effect of knowledge” (Britzman, 1998, p. 214). In other words, ignorance of ethical possibility is an effect of a statement of ethics. If social professions want to maintain space for ethical possibility, they should reconsider a rule-based form of ethics code. Social professions can designate new space for discussion of ethics and moral responsibility and also maintain rules of conduct that make no claims on ethics.

To illustrate, consider the following excerpt from the Code of Professional Practice and Conduct for North Carolina Educators (1998):

The educator ... maintains an appropriate relationship with students in all settings; does not encourage, solicit, or engage in a sexual or romantic relationship with students, nor touch a student in an inappropriate way for personal gratification, with intent to harm, or out of anger.

In this excerpt the concept of “appropriate relationship” is identified by an extended definition of what counts as “inappropriate.” Inappropriate is known as sexual or romantic relationship and harmful touch. Participants in the qualitative portion of my study confirmed similar understandings of “inappropriate.” While “inappropriate” is known, “appropriate” is less known. Similarly, “unethical” is stated in code in a manner that obscures or limits how we understand “ethical.”

Those who interpret codes of ethics often focus on statements about the inappropriate and the unethical. Codes seem most instructive for telling professionals what not to do. As such, ethics are understood as a static state of knowing or being professional (maintaining professional identity), and violations of ethics are understood as actions. As long as the defined “unethical” actions are avoided, we are being ethical. This demonstrates how ethics codes function as Bauman’s (1995) adiaphoric social action as discussed in Chapter Three. *Being* ethical involves participation in a stable professional identity, and following routine procedures and knowledge. *Doing* ethics is more active and fluid; doing ethics requires involvement and reflection.

The Statement of Principles from the International Federation of Social Workers includes an example of how a more dynamic and active conceptualization of ethics might

be reflected in code. One of the statements of professional conduct recommends the following guideline: “Social workers should foster and engage in ethical debate with their colleagues and employers and take responsibility for making ethically informed decisions” (International Federation of Social Workers, 2004, p. 4). Such a statement recognizes the limitations of fixed rules of conduct and encourages a more active, ongoing process of ethics. Processes of ethics might resemble Josh’s experience, as described in Chapter Five, of thinking creatively with a team of colleagues to resolve concerns about having a dual relationship with Chris.

As I suggest in this section, queering the code (both politically and aesthetically) opens space for moral imagination and ethical possibility. By reorienting ethics as an active process, rather than a condition of being or knowing, professional practice might become more just, generous and creative.

### **Decentering Professional “Ethics” and Opening Space for Risk and Love**

Finding ways to open more space for risk and love in professional “ethics” is a critical issue for my conclusion. Ethical possibility is much broader, and much less certain, than the rational center of normative professional ethics. As one of my central research questions, I asked, “Does professionalism lower the stakes of professional relationship by restricting involvement?” Based on my theoretical and empirical study, I have shown that involvement is restricted and the stakes of relationship are lowered, presumably to protect the public, regulate practitioners and ensure the stability of the profession through uniform standards. Without denying the importance of such protections and regulations, what is diminished or squeezed to the periphery by lower

stakes? To respond to this critical question, I identify two ethical possibilities that are diminished by strict adherence to professional articulations of ethics. These include the possibilities of *freedom* and *commitment*.

### **The Possibility of Freedom**

As teacher and social worker subjects, our full sense of human agency and freedom can be limited and diminished by normative professional ethics. While we commit ourselves to professional goals and values, we also act from an inner, vocational calling that is both singular and social. My use of “calling” simply refers to the intentions that speak to and give meaning to our work. It is singular in that it is uniquely part of an individual’s process of becoming—“as unfinished, uncompleted being in and with a likewise unfinished reality” (Freire, 1994, p. 65). It is social in that we are always born into existing social relations (which include power relations). When quelled by rules and prescription, our actions may become separated and alienated from vocational freedom. Because we, as agents of social professions, are located between mechanisms of social control and some sense of moral responsibility to students or clients, we are likely to experience “moral pain” or chronic distress over incompatible goals (Freud & Krug, 2002a, p. 476).

Freedom, as a way of being and as a way of pursuing possibility, allows us to live more authentically<sup>21</sup> (Dybicz, 2010, p. 31). Foucault (1997b) describes freedom as a condition that one is *not* born into but must be created to initiate the possibilities of ethics. “Freedom is the ontological condition of ethics. But ethics is the considered form

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<sup>21</sup> See Heidegger (1930), *The Essence of Human Freedom*.

that freedom takes when it is informed by reflection” (p. 284). Through reflective and social processes, caring for oneself opens ways for resisting self-subjugation while also opening possibility for new ethical relations. Foucault’s aesthetic of freedom is particularly relevant to the lived experiences of social professionals whose autonomy has been undercut by bureaucratic, managerial forms of neoliberal politics.

In his study of front line social workers and psychiatrists, Brodwin (2013) provides rich description of what practices of freedom and reflection might look like:

When a social worker or psychiatrist discovers that the usual gesture of work subverts her own ideal self-image, she inaugurates a moment of moral reflection. At the same time, it is a momentary refusal of the sedimented values of the treatment setting and its dominant recipes for action. She carves out a small zone of freedom in the midst of workplace rules and professional norms. (p. 19)

Small zones of freedom and ruptures within daily professional routine, rather than being patched over or disregarded, should alert us to gaps between what is and what is possible. Brodwin goes on to describe how momentary practices of freedom usher changes in one’s relationship to oneself. He claims, “... [S]he partially reformulates herself as an ethical subject” (p. 20). As ethical subjects, professionals must sometimes exercise “elastic boundaries” (Zerubavel, 1991, p. 122) in order to grow the possibilities that extend beyond professional identity. In doing so, we open much needed space for ethics.

### **The Possibility of Commitment**

Exercising freedom of choice and creating “small zones of freedom” invite the possibility of commitment. However, commitment is encumbered by postmodern

ambivalence. Under complex, fractured and privatized niches and markets, professional transactions are temporal and fragmented. We no longer have personal doctors; we have health care providers that change as rapidly as insurance networks reorganize for maximum profit. Privatized child welfare services outsource case management to private companies who then contract with additional agencies for supplemental services. The organization of jurisdictions within social professions tends to float responsibility by dividing and subdividing through continuous specialization. Thus, even the basic norms, principles, and rules of professional ethics are reduced to “simple exchange of courtesies” (Bauman, 1995, p. 56) and commercial transactions. The possibilities of caring and committed ethical relations are impossibly diminished within circuits of constantly changing parts and pieces.

Differentiating between ethics and morality, Bauman (1995) reserves *ethics* to signify fixed conventions that are imposed by external authorities. Accordingly, *moral* response is an unpredictable, nonrational act of responsibility and commitment toward someone. Bauman continues to describe barriers toward realizing moral responsibility in postmodern conditions that feature episodic and fragmented encounters with others. Bauman points out that “life lived as a succession of episodes is a life free from the worry about consequences” (p. 5). Inconsequential relations also free us from worrying about responsibilities toward others. I contend that professionalism and the “ethics” that support it organize dominant social fields (e.g. an economy of care) such that possibilities for moral response and commitment are minimized.

Whereas moral commitment is located in connection between two people, human service and educational programs operate as if relationships are secondary or inconsequential to outcomes. They operate with interchangeable parts (e.g. one licensed practitioner is as good as the next) and reduce the risk of harm by limiting involvement. Bauman classifies this form of togetherness as “being-with.” He describes, “Being-with is a meeting of incomplete beings, of deficient selves; in such a meeting, highlighting is as crucial as concealing, engagement must be complemented by disengagement, deployment of some resources must be paired with withdrawal of others” (1995, p. 50). In professional terms, those are the rules of “boundaries.”

I am interested in social organization that creates more space for Bauman’s sense of moral response and commitment—what he calls “being for.” However, I do not take up a strong sense of Bauman’s “being for” (or Levinasian ethics) as an ideal for professional practice. Bauman (1995) clearly states that “nothing” can induce or anticipate “being for” in any “probabalistic’ way” (p. 52). Consequential moral commitments cannot be planned or programmed into happening. They would only grind against the gears of professionalism’s rational center. Thus, they cannot serve as ideals of professional practice. Nonetheless, social professionals can be more thoughtfully aware of the “strong” sense of moral commitment and recognize how it might present as “out of bounds.” Freud and Krug (2002b) reflect that “good deeds” sometimes “represent situations in which social workers, far from being exploitive, are so deeply committed to clients that they are willing *to risk* transgressing regulations, thus putting themselves at risk.” (p. 489).

Rather than reacting with admonition, suspicion or correction, social professionals might understand moral commitment as a rare and powerful possibility within the social processes of being involved in the lives of others. These rare and powerful possibilities were repeated throughout the stories I gathered in my qualitative research. I found that social professionals, who show up as persons in the intimate spaces and raw realities of others, feel as if “something has to happen” and they are “responsible” for making it happen. These professionals know that they may be the only support, quite literally the only one present, in their students’ and clients’ lives. As noted in Chapter Five, Sylvia took in Pedro because she “knew that he would die” if she did not take care of him. Sylvia initially met Pedro around 1985 and, as family, she continues to care for him thirty years later. Just as the participants in my qualitative research made parenting commitments without knowing where such commitments might lead, members of social professions should recognize the moral content of such commitments so they can be better supported when they occur. In doing so, they will contribute to the discourse of professional ethics by opening it to the greater possibility of commitment.

### **Implications and Recommendations**

Normative professional ethics have been archived in formal codes, but they take place in life through discursive practices. Discursive practices demonstrate power relations in the manner that they circulate, coalesce and reinforce each other in a socially constructed world. “In this process, reified structures arise and thus non-discursive elements begin to contribute to the discourse” (Dybicz, 2010, p. 36). By point of illustration, we can examine the concept of “professional.” Derivative concepts of



“professional”—professional knowledge, boundaries, and expert services—are given “social reality” and “practical embodiment” (Bruner, 1986, as cited in Dybicz, 2010, p. 36). Practical embodiment through credentials, codes, and laws (for example) reifies “professional” and, thus, particular ways of understanding the world begin to dominate (Dybicz, 2010). More so than professional code alone, the coalescence of discursive practices around professionalism restricts and diminishes ethical possibility.

Those who participated in the qualitative component of my study generally expressed vague familiarity with the NEA or NASW Code of Ethics. However, participants’ statements reflected and participated in an ethical discourse of professionalism through ubiquitous phrases like “do no harm,” “inappropriate,” “child-focused” and “crossing a line.” Such concepts operate in the everyday world of professional life and reify larger systems of professionalism. I find these discursive practices more powerful, vital and relevant in professional life than ethics code by itself. Thus, I recommend further research into discursive practices and ethical meanings among social professionals. Understanding how established discourse shapes the telling of our own narratives helps us to recognize the complexity of lived experience. Rossiter (2005) summarizes, “Discourse analysis accesses questions that help make social contradictions visible, and it opens conceptual space regarding one’s position within competing or dominant discourses” (p. 15).

I also recommend that research focus on the life-worlds of frontline practitioners. Following Brodwin’s (2013) model of ethnographic study of ethical decision-making in community psychiatry, descriptive research in education and/or social work could

provide a more holistic, more textured understanding of ethics in practice than is currently available. “Moral talk” among colleagues, what is said in team meetings and supervision meetings, and agency policies have potential to disclose how professional agents make meaning and navigate through ethical matters. Given the current economic and political pressures on education and social services, such research could reveal a great deal about the conditions of social professions in these precarious times.

My third recommendation for further research includes additional study of “positive boundary-crossings” (Doel et al, 2010). Such study could contribute to philosophical and pragmatic thinking about “shadow” areas of professional practice. Positive boundary-crossings reveal occurrences where regulatory norms yield to some other, more subjective sense of ethics, mutuality or responsibility. Doel et al. (2010) suggest that personal moral codes and religiosity are strongly influential. Weinberg and Taylor (2014) found that practitioners turn to their own values, personal history or significant role models to “cope with the ambiguities of the system” (p. 80). Among participants from my qualitative research, Sylvia, Michelle and Alexa referred to “social justice” as an underlying framework that informed their actions. Any such “outside” framework could unsettle the norms of official professional routine and procedure. Additional study of positive boundary-crossings, such as teachers and social workers who become parents to youth without acting parents, may add pragmatic insight to a professional terrain that has been morally stunted with managerial techniques, standardized procedures, legal maneuverings and scores of metrics designed to neutralize risk. Greater understanding of positive boundary crossings may lead to the possibility of

acknowledgement of loving, mutual relations that are not automatically labeled as abusive in cases where no abuse has occurred.

Pragmatic approaches may also help to link established empirical research with practice. For example, Avery (2010) points toward substantial research that shows successful youth development is strongly associated with having at least one ongoing, long-term relationship with an adult. Child welfare services are charged with finding permanent homes for older youth in foster care. “Permanency” is more likely to happen with family members or “fictive kin”—significant adult relations of non-biological kinship. Since the most continuous, adult relationships for older youth in foster care may be held with their teachers or social workers, a pragmatic solution could involve recruiting teachers, school administrators or social workers to become foster or adoptive parents. Among the foster care agencies participating in Avery’s research (a federally-funded project through the U.S. Department of Health and Human Services), staff members received training with the possibility of becoming parents themselves (2010, p. 405). I have found other scattered efforts around the country to recruit teachers into foster parenting for students who need permanent, stable homes. In Massachusetts, the Fall River Foster Care Support Task Force expressed interest in seeing teachers support students outside of the classroom by becoming foster parents (Facey, 2010). In Brooklyn, the You Gotta Believe! organization serves older youth in foster care by locating a person who cares about them (including former teachers) and supporting those relationships (Miller, 2013). The San Francisco Unified School District and the San Francisco County Human Service Agency collaborated to establish schools as

“communities of support” for students in foster care. One of their goals included recruiting adoptive and foster families from “targeted school sites” (*Our Community, Our Children*).

These initiatives pragmatically ask, “What works for older youth in foster care?” and “What do we need to do to make it happen?” In this sense, there are direct linkages between research, policy and practice. These initiatives also resist rigid mental categories that make distinctions between parents and teachers into social facts. In these seemingly minor examples, the foundational dividing practices of professionalism (student/teacher, teacher/parent, social work/education) are negotiated and reconfigured. Zerubavel (1991) reminds us that innovation and creativity are processes of a “flexible mind” that soften, and sometimes transgress, mental partitions.

### **Closing Thoughts**

This dissertation study represents my attempt to acknowledge and explore the ethical periphery of professional practice. My study has been informed by experiential narrative, including my own, and explored through the theoretical possibilities of postmodern thought and ethics. The dominant technologies and rational metrics of the late twentieth century have found homes within the social professions. Subject to considerable economic and political forces, knowledge production in social work and education has fixed a spotlight on efficient, affordable and replicable practices with measurable outcomes. Meanwhile, people meet each other, spend time together and develop relationships. Meanwhile, teachers and social workers show up in the complicated, sometimes difficult, lives of others. Some practitioners set aside the

equipment that they have been handed—performance rubrics, codes, and guidelines—and initiate “small zones of freedom” where they can mutually engage with the persons in front of them. This is the ethical periphery of professional practice. This is where professionals drive children home after school or bake birthday cakes for kids in foster care or ... become their parents. Outside of the spotlight, this is where the possibilities of commitment and love are able to grow.

In the Preface to *Pedagogy of the Oppressed*, Freire (1994) asks that his writing be remembered as helping to create a “world in which it will be easier to love” (p. 22). Is it possible to imagine social professions—education and social work—helping to create a world in which it will be easier to love? Social professions and those who occupy them are held so closely to daily operational tasks that it is easy to forget what it all means. Practitioners of social professions who become lost in nonstop management routine are in danger of becoming Sisyphean archetypes. Lost in the minutiae of daily tasks, creating a world in which it will be easier to love is only reflected in the flicker of a distant star. Thus, members of social professions need to look up. They need more time and new equipment—telescopes and satellite images—to remind them of distant constellations, mysterious galaxies and unknown possibilities. They need ethical inspirations rather than ethical prescriptions if they are to contemplate the possibilities of creating a world in which it will be easier to love.

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APPENDIX A

RECRUITMENT ADVERTISEMENT

Email or Listserve Recruitment  
Study – Crossing Lines: Professionals Becoming Parents  
Troy A. Martin, Principal Investigator

**Teachers & Social Workers – Participate in a Research Study**

**If you are a K-12 teacher or a social worker who became the foster parent or adoptive parent to a child who you met in a professional context**, you are invited to participate in a research study affiliated with The University of NC – Greensboro. This study seeks to describe the experience of shifting from a professional role to a personal / parental role by exploring ethical and professional aspects of that experience. Participants will be interviewed one time (approximately 90 minutes) with the potential for follow-up questions (not to exceed an additional 45 minutes). If interested, please contact Troy Martin, MSW, at [tamartin@uncg.edu](mailto:tamartin@uncg.edu) or [REDACTED].



APPENDIX B  
INTERVIEW PROTOCOL

Interview Protocol  
Crossing Lines: Professionals Becoming Parents  
Troy A. Martin, MSW; Principal Investigator  
Dr. Kathy Hytten, Faculty Advisor

**1. Professional Background**

- 1a. Tell me a little about how you came to become a social worker [or] teacher?
- 1b. Briefly, tell me a bit about your professional life as a social worker [or] teacher.
- 1c. Do you recall any education or training on professional ethics?  
(If little response, probe with questions about conduct that might be considered unprofessional and how that was learned.)
- 1d. How familiar are you with professional codes of ethics in your field? What do you consider as the most important or useful aspects of professional ethics?

**2. Professional relationship to parental relationship (conspicuous boundaries?)**

*“I want to talk with you about your relationship with your foster [or] adopted child. I am mostly interested in your description and perception of how the relationship developed.”*

- 2a. How did you first meet? When? 2b. Talk a little about the nature of your professional role with [agreed upon pseudonym]?
  - 2c. How did your relationship developed over time?  
(Probe for how the relationship felt and what responsibilities were felt.)
  - 2d. When and how did you first realize you were becoming personally involved with [agreed upon pseudonym]?
- (Probe for moment or markers that set this relationship apart from other “professional” relations; What felt different? What was circumstantially different?)

### **3. Professional Identity**

3a. Describe your thoughts, feelings and questions as you began to consider becoming the foster parent or adoptive parent of [agreed upon pseudonym].

3b. As you became more personally involved with [agreed upon pseudonym], did you have any concerns that your professional role and duties may be compromised by your personal involvement?

If so, how did you go about addressing or resolving those concerns?

(Probe for conversations with supervisors, colleagues, family, friends; was there any evidence of internal conflict or ambiguity about the shift from professional to personal?)

3c. At the time you were considering foster parenting or adopting, what was your understanding of “professional relationship boundaries”?

3d. Did you feel like you might be crossing a line? Why or why not?

3e. Did anybody else (colleagues, friends, family) think that you might be crossing a line?

(Probe for social approval or disapproval or social feedback from both professional and personal circles).

3f. Did you experience any professional costs or repercussions from moving from a professional role to a parental role with [agreed upon pseudonym]?

3g. How would you describe your ethical responsibilities in this situation?

3h. How has your perspective on professional relationship boundaries changed over time?

### **4. Additional**

4a. Is there anything that I did not ask about that you’d like to share or that you think is important to my study?

APPENDIX C

CONSENT FORM

**UNIVERSITY OF NORTH CAROLINA AT GREENSBORO  
CONSENT TO ACT AS A HUMAN PARTICIPANT**

**Project Title: Crossing Lines, Opening Ethical Space: Professionals Becoming Parents**

Principal Investigator and Faculty Advisor: Troy A. Martin, MSW and Dr. Kathy Hytten

Participant's Name: \_\_\_\_\_

**What is the study about?**

You are invited to participate in a research study that explores the experience of professional social workers and teachers who have become foster parents or adoptive parents to children who they initially met in a professional context. This dissertation research is being done as part of my PhD work in Educational Studies at the University of North Carolina – Greensboro. This is a research project. Your participation is voluntary. I am interested in how professionals experience ethics when a relationship shifts from professional to personal. In 2002 I became the foster parent to a young man who I met while serving as his social worker. Based on my experience of navigating professional norms and codes of ethics, I am interested in how others experience and understand similar situations. By talking with others who have crossed professional life / private life boundaries in the process of becoming a foster or adoptive parent, I hope to explore and find meaning within complex issues of professional identity and ethical responsibility. In this dissertation, I explore the ethical dimensions of professional boundaries, codes and practices within the spaces of one-to-one encounter.

Specific research questions include:

Does professionalism lower the stakes of professional relationships by restricting involvement?

What is professionalism without trust, and what is trust without risk?

Does an ethics of “do no harm” leave any room for close, committed relationship?

Does professionalism encourage us to risk little and, thus, diminish potential for more involved, more intimate forms of human interaction?

**Why are you asking me?**

I am asking you to participate because you have voluntarily identified yourself as a professional teacher or social worker who became the adoptive parent or foster parent to a young person you met in a professional context. I believe that your story can contribute to a fuller understanding of how ethics and professional identity inform being with others

in practice.

**What will you ask me to do if I agree to be in the study?**

I will request a one-to-one interview with those who agree to participate. (Remote interviewing through Skype or other technology is possible.) I expect one-to-one interviews to last about 90 minutes.

You may be asked to participate in a follow-up interview or follow-up communication. In such cases, I will request a follow-up interview or email exchange to clarify or ask questions about our initial interview. You can decline to participate in follow-up activities if you choose to.

Talking about professional ethics and behavior *can* involve sensitive topics and potential for you to feel some distress when discussing these topics. I expect the potential for stress to be minimal, and you can end the interview at any point by telling me you want to end the interview.

**Is there any audio/video recording?**

I will ask for your permission to audiotape all interviews. Because your voice will be potentially identifiable by anyone who hears the tape, your confidentiality for things you say on the tape cannot be guaranteed although I will try to limit access to the tape as described below.

I will store audio recordings in locked file cabinet in my home office. Aside from a third-party transcriptionist, I do not anticipate anyone else listening to the recording. After my designee or I have completed all transcription activities, all voice recordings will be erased. Written transcriptions will not contain identifying information.

Those who do not wish to be recorded can decline, and I will only take written notes.

**What are the risks to me?**

The Institutional Review Board at the University of North Carolina at Greensboro has determined that participation in this study poses minimal risk to participants. Some of the questions you are asked might make you feel emotional and you may choose not to answer or withdraw from the study at any time.

If you have questions, want more information or have suggestions, please contact Troy A. Martin, Principal Investigator, who may be reached at [REDACTED] or [tamartin@uncg.edu](mailto:tamartin@uncg.edu) or Dr. Kathy Hytten, Faculty Advisor, at [REDACTED] or [kahytten@uncg.edu](mailto:kahytten@uncg.edu).

If you have any concerns about your rights, how you are being treated, concerns or complaints about this project or benefits or risks associated with being in this study please contact the Office of Research Integrity at UNCG toll-free at (855)-251-2351.

**Are there any benefits to society as a result of me taking part in this research?**

Benefits to society may include increased understanding of ethical complexities within the everyday, lived-space of professional relationships. Professional schools and associations, in particular, may benefit from better understanding the negotiations and considerations of "ethics" in practice. A descriptive, empirical account of ethical negotiations may inform how ethics are conceptualized, understood and taught within professional schools and associations.

**Are there any benefits to *me* for taking part in this research study?**

There are no direct benefits to participants in this study.

**Will I get paid for being in the study? Will it cost me anything?**

There are no costs to you or payments made to you for participation in this study.

**How will you keep my information confidential?**

All information obtained in this study is strictly confidential unless disclosure is required by law. Absolute confidentiality of data provided through the Internet cannot be guaranteed due to limited protections of internet access. Please be sure to close your browser when you are finished so no one will be able to see what you have been doing. Voice recordings, notes and written communication gathered during the course of the research will be stored in a locked metal cabinet the Principal Investigator's home office or, if electronic files, on a password-protected computer in the Principal Investigator's home office.

All participants will be assigned a pseudonym, which will be used on all documentation and recordings (except the consent form and a master list linking pseudonyms to real names). As well, at the start of our interview, I will ask you to select a pseudonym to be used in lieu of your foster or adopted child's name in order to preserve his or her confidentiality. While identifying information about your child will not be part of my data, the pseudonym may appear in quotes and references in the data.

After successful transcription, voice recordings will be erased. All materials with identifiable information (e.g. email communication) will be deleted (electronic files) or shredded within 150 days of the date of the date next to your signature on this consent form. Notes and transcripts, stripped of all identifying information, will remain in the Principal Investigator's custody. Consent forms will remain in the Principal Investigator's possession for a minimum of three years and will be kept in a locked metal file cabinet. A master list linking the pseudonyms to the participants' real names will be stored separately from the data and consent forms in Dr. Hytten's (faculty advisor) UNCG office in a locked, metal filing cabinet for a minimum of three years.

**What if I want to leave the study?**

You have the right to refuse to participate or to withdraw at any time, without penalty. If you do withdraw, it will not affect you in any way. If you choose to withdraw, you may request that any of your data which has been collected be destroyed unless it is in a de-identifiable state.

**What about new information/changes in the study?**

If significant new information relating to the study becomes available which may relate to your willingness to continue to participate, this information will be provided to you.

**Voluntary Consent by Participant:**

By signing this consent form you are agreeing that you read, or it has been read to you, and you fully understand the contents of this document and are openly willing consent to take part in this study. All of your questions concerning this study have been answered. By signing this form, you are agreeing that you are 18 years of age or older and are agreeing to participate, or have the individual specified above as a participant participate, in this study described to you by \_\_\_\_\_.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX D

### NARRATIVE SUMMARIES

#### **Interview A -- Timothy, suburban Midwest, USA** (Date - 3.8.14, telephone)

Timothy recently retired from his professional career with 17 years of experience as a teacher and 13 years of experience as a school administrator (vice principal and principal). He recalls wanting to be a teacher when he was a kid and pursued studies to be a special education teacher. [Lines 11-81] Aside from three years of his teaching career, Timothy worked with “special needs” students, many of whom (“maybe half”) were in foster care and/or lived in foster care facilities. [Lines 181-197] Timothy shared this to explain his familiarity with foster care and to justify his concerns/opinions about the foster care system. (“Foster care is not a great place; you know it; I know it.” [Lines 1145,46]) or (“foster care place ... It didn’t impress me too much. You know they were nice people but, you know what I’m saying; it’s not home” [Lines 212-214])

Timothy was Betty’s math teacher when he met her. Betty was 16 years old and her sister Veronica was 14. Veronica was not in Timothy’s class but he did have some contact with her through “individual education plan” (IEP) meetings. [Lines 159 – 175; Line 379] During the course of their teacher/student relationship, Timothy recalls being unimpressed with her foster care placement and giving her “little things” that he’d bring into class. He describes her as “very nice.” At some point Betty asked Timothy to adopt her, and her foster care worker did contact him about it. [Lines 211-227] Timothy describes Betty’s foster care worker with positive regard and says that she approached the issue in a “nice,” “non-threatening, non-pressure way.” [Line 257-58] Timothy and his wife had considered becoming adoptive parents previously. Timothy explains, “Lots of kids had asked me to adopt them over the years.” [Line 202-03] But, Timothy’s obligations as a principal, lack of time and the high needs of kids in foster care prevented them from going forward with adoption. [Lines 204-210] With a more relaxed schedule after moving back into the classroom and leaving his principal position, Timothy says that they moved forward with adopting Betty and Veronica because it was “a different time of life” that turned toward focusing on “home and heart.” [Lines 387-89]

Timothy first met Betty in his classroom in September 2011. On April 18, 2012 Betty and Veronica left the foster care facility they were living at and moved in with Timothy and his wife, who at that time were their foster parents. They became their adoptive parents on November 20<sup>th</sup> 2012. [233-237; 503-504]

In the lead-up to Betty’s foster placement and adoption with her teacher (Timothy) and his wife, the Special Education Services District Office became involved and indicated that it may be “improper” because of Timothy’s role as her teacher. The District Office

proposed moving Betty to another school as a solution. Timothy responded, “Do not move her to another school. She’s had enough change in her life.” [Lines 517 – 522]

The District Office then suggested that Timothy become a substitute teacher in the building for the rest of the year (April – June, 2012), and somebody else would be assigned to the classroom to be the teacher. At this point Timothy appealed to the District Superintendent who he describes as a “friend” and a “buddy.” [508-509] He remarks, “I had had enough so I called the Superintendent. I said, ‘You know what? I worked hard to develop good relations with these kids and to yank me out of there – for what? What are we gaining here? Help me. I don’t get it.’” [532-535] As Timothy understands, the Superintendent then helped “broker” [617] an outcome. Betty moved to a next-door classroom where a different teacher assumed professional responsibilities for her. In actuality, Timothy continued to provide curriculum for Betty by giving it to the next-door teacher. The next-door teacher could have “thrown it in the trash” [568-569] but, rather, agreed with it and took responsibility for grading. [563-566] As well, Timothy agreed that he would move into a “resource room” the following school year, so he would have no “professional obligation” to Betty at all. [557-559]

Timothy expressed frustration with how the Special Education Services District Office responded to the situation. He says, “I never felt like I was crossing a line, and I think even the special ed. department’s issues were done in a way that were less child-focused than my personal level of child-focus is. You know, we’re here to serve children and anything we do that truly improves their lives is good.” [Lines 696-700] He also remarks, “Nothing extreme happened here and it seemed like people were only looking for extreme answers in the beginning.” [629-631] He explains that he may have “overreacted” to his own surprise because he thought, “You oughta be happy that two more kids are in a better spot. What? Are you idiots? You know? I mean they just won. They won, I tell you.” [800-803]

Timothy contextualizes the situation by explaining that these “18-32” classrooms that serve kids with “different needs” [637] grade students on “work effort but not on meeting the particular statewide academic standards.” [642-644] He adds that he might understand the problem of a perception of favoritism in a different kind of class – a “calculus class,” for example. [652] He says that such perceptions might be especially “troublesome” to an administrator who deals with parents who are “competitive” and “conscientious of all possible advantages.” [656-660] Upon reflection, Timothy does recall the possibility of negative parental perceptions regarding his “parent” role with Betty. He recalls a parent who remarked, “Don’t you feel funny giving grades to your own kid?” and reflects, “...in retrospect, I may be able to better understand why they were so distraught about it.” [675-676; 683-684]

Timothy believes that his district administrators likely were focused on “moving up” and getting to the top. His colleagues with strong “achievement attitudes” may have felt “threatened” when somebody like himself (who was a former administrator and stepped



away from it) reflects a counter perspective –“achievement is good, but, you know, there’s other things that’s more important. [718-730] He accuses his administrator colleagues of not “standing up and being strong for kids” but, rather, taking the “fastest, easiest way to get where they wanted to go.” [743-745] Nonetheless, Timothy was pleased with the outcome for Betty and himself. He says, “So, I think it was everybody won, because you didn’t pull me from the classroom and, at the same time, you didn’t take Betty and move her to another high school....” [624-626]

Having been familiar and close to young people in foster care, Timothy and his wife had been thinking of and planning toward eventually adopting children from the foster care system. [869-876] Timothy expressed an interest in being an advocate for foster youth who are aging out of the system [1207] and relayed first-hand observations of foster youth who were “educationally deprived” [1135] due to a lack of parental advocacy. As well, Timothy identifies several examples of conducting himself with interest in his students’ personal lives. He provides birthday cakes, which he often baked himself, for his students. [915-926] He has taken kids home during holidays if the kids didn’t have a “home to go home to.” [1022-1023]

He summarizes his “ethical responsibilities” by saying “... you take on more responsibility for a child that goes beyond the classroom, that I don’t think that delves into an inappropriate area. I think that it’s a natural part of life.” [861-864] Timothy also remarks, “Like, I just thought I was doing what I do. You know how you make the decision to do something, you just do it.” [756-758]

Timothy draws lines between appropriate and inappropriate involvement with students. For example, he used to drive one of his students, Reggie [alias], home. One day he drove Reggie to one of his former foster care facilities so he could visit with some people who were “like a mom to him.” [330-341] At the same time, Timothy indicates that it is “bad” to “take kids to the mall and start to hang out with them.” [926-928] He reports being “disturbed” by teachers who do “harmful” things. [894-896] Timothy understands differences between reasonable risk and risk that may cause harm. He recalls one of his first professional mentors as saying, “There’s no growth without risk” and explains, “Anytime you go to change something, you risk a problem.” [966-975] He considers the importance of the “do no harm statute” [987] as doing something or “... using our influence that in the end will hurt the development of that child to become a full, rich human being.” [989-990]

Timothy sees professional codes of ethics as dealing with “liability style issues more so than caring style issues.” [1059-1060] He remarks that most professional ethics training and education happens “on the ground as you go.” [101] He does include “outside relationships with kids” [108-109] and “improper relationship with a student” [114-115] as part of the basic understanding of professional ethics. He sees formal ethics codes in education as dealing with how to conduct yourself and “moral turpitude rules” [143-144]. He goes on to provide a critique of too many rules. He explains, “Rules are written to

enhance everybody's life. Rules are written to improve things. They're not made to catch things. That's not what they're there for. That's not policy. They ought to have policy in there that gets people to do the right thing, you know." [1087-1091]

**Interview B – Suzanne, urban Northeast, USA**

(Date - 3.20.14, telephone)

Suzanne has been a teacher in city schools (middle school, high school and special education) for 27 years. [Lines 40-56]

Suzanne met Rick as a student in her ninth grade art class but had heard about him from her Assistant Principal prior to his enrollment in her class. [97-113] Suzanne's Assistant Principal knew that she had been "certified as a foster or adoptive parent" in 2003 and suggested that she consider adopting Rick. Another colleague also told her Rick's story and how he "needed a guardian." [114-125] Rick, who was 15 or 16 years old at the time, was not "documented" and had received legal advice (from a pro-bono legal organization that had visited the school) to "find a guardian" as a first step. [134-141] His father had recently died and his mother lived in Africa. At the time Rick lived with "some guys in their 20's from his country" and "worked for them." [159-164]

Suzanne and Rick's school did not want to turn Rick over to the foster care system because he could "end up anywhere" as a ward of the state. [141-143] After deciding to try to become Rick's guardian, Suzanne told Rick she'd like to talk with him. When he came to her later in the day, she asked, "Would you like for me to be your guardian? And he said "yes." [127-129]

On the advice of Rick's lawyer, Suzanne moved Rick into her house when another "boarder" moved out. [148-151] Rick lived with Suzanne throughout his four years of high school and currently stays there when he is home from college. He remained in her art class after moving in with her and, eventually, took another art class with her [166-175; 305]

Suzanne reports having boarders in her house often: "It wasn't a big deal because I'm used to having people in and out of my house. ... It felt natural. I used to have couch surfers ... It's like that – just hanging out with a couch surfer. ... Only I was responsible for him. So, it's kind of like a combination of buddy/parent." [182-194]

Suzanne and Rick spent a year in and out of family court, and she became his legal guardian after a year. A "legal guardian" relationship was all that was needed for Rick to receive a "green card"; adoption was not needed. [212-228] The school system did not get involved in any aspect of the process. [205-207] Suzanne explained other rules that school employees have to follow. She says, "Let's say your driving in your car and you see a student at a bus stop or something; you're not allowed to pull over and put him in your car; ... you can't have them in your house. But, you can become their parent. I find that really odd." [246-253]

Suzanne received support from her administrators and colleagues and says that concerns about "professional relationship boundaries" or grading bias "... never came up." [286-309] When asked about formal training on professional ethics or professional codes of

ethics, Suzanne responded that she is not familiar with formal materials on professional ethics and explained, "... there's not a lot of talk about that." When asked about her own sense of professional ethics, she said, "I've never given it any thought." [59-80]

When asked about her felt sense of ethical responsibility to Rick, Suzanne summarized: "I just was doing what needed to be done – going to court and, um, getting the paperwork done. You know, um, making sure he had enough money ... just stuff that you do as a parent of a teenager." [323-330]

**Interview C – Sylvia, urban West Coast, USA**

(date - 3.29.14, in-person)

Sylvia is a retired social worker (with an MSW) and teacher. [Lines 10-13] Sylvia identifies as Spanish-American with ancestral ties to Cabeza de Vaca and geographic ties to northern New Mexico and southern Colorado. [37-53] Her social work career includes working for a Veteran’s Administration Hospital, a child care resource service, child protective services (CPS) and adult protective services (APS). [64-86] Sylvia explains her professional interests in social work by relating them to “social change” and “social justice” and cites AIDS work and work related to Mexican Americans and women as examples. [19-25] Describing CPS work as “exhausting hard, hard work” that sometimes required evening work, Sylvia left social work for a teaching career after having children. [96-104] She has retired from teaching second grade after 16 years but continues to serve as a substitute teacher.

Pedro was seventeen-years-old when he appeared on Sylvia’s CPS caseload. At the time he was “in a coma ... illegal ...” with “... end-stage renal failure ... no family ... and no money.” [207; 195-200] Five or six days after being “dropped” at the hospital, Pedro emerged from the coma and Sylvia met him as a new “client.” [203-212] Sylvia says that her “heart” immediately “went out to him.” [219] She had a favorable impression of him (“intelligent ... charming ... sweet ... funny ... smart” [220-231]) and began to develop a “nice relationship.” [229-230] Her efforts to find a foster home for him did not yield positive results [223-224], and he was about to be discharged from the hospital with no place to go. [226] So, Sylvia brought Pedro home. [236]

When initially asked about her employing agency’s response, Sylvia said she didn’t tell people because she did not want to be “criticized.” [283-284] Then, she recalls that it was her supervisor who advised her to write “placed with a home” in the case file. She then closed the case, and nobody followed up with questions about where he was placed as was “normally” done. [293-298] Sylvia suggests that because Pedro was only six weeks from his 18<sup>th</sup> birthday, there were no legal or official papers filed pertaining to his placement. [275-278] Eventually, after Pedro’s 18<sup>th</sup> birthday, Sylvia and her family adopted him.

Initially, Sylvia expected that Pedro might not be with her family much beyond his 18<sup>th</sup> birthday. He was very sick and required dialysis three times per week, so health care and health coverage were the pressing concerns. Sylvia had to go to court to help him receive medical coverage, which was complicated since Pedro was an undocumented resident. [238-249] With Pedro’s “life in the balance,” Sylvia’s quick action and social work advocacy mattered to his survival. [258-259]

Pedro was from Tijuana, Mexico and attended school in San Diego. Sylvia described a “bond” with Pedro that was partially tied to understandings through some shared ethnicity. She also described him as more caring, helpful and well-mannered than some

of the other ten children in her family (“five natural, ... two step and ... three adopted” [106-107]) [335-346]. In short, Sylvia felt a sense of “identification” with Pedro. [362]

When asked about the response of her colleagues, Sylvia indicated that they expressed “fear” for her but also respected her work and credibility. [451-468] Due to Pedro’s high needs and the number of other children in the family, some people “thought it was not a good idea.” [474-480] As well, some indicated that Pedro should be “Mexico’s problem.” Sylvia explained her response: “What else are we going to do? ... two days later he’d be dead. If you don’t have dialysis three times a week and something builds up in you, then you just die. So, it wasn’t a thing where you could send him back to Mexico.” [482-492] Sylvia also stated, “His situation was so horrible that I knew that he would die if I didn’t take care of him.” [642-643]

When reflecting on professional ethics and the NASW Code of Ethics, Sylvia recalls the “golden rule” ... “try to do people like you would want to be done.” [133-134] She remarked, “... Do what you can and if it’s unethical try to make it ethical. You know, you have to do what you can do to get the job done.” [119-121]

When considering unethical conduct, Sylvia brings up breaking confidentiality, sex with a minor or client [162-170] and taking in kids for the purpose of getting their social security benefits. [566-567]

When asked if she ever felt as though she might be crossing a line, Sylvia reflected on the amount of power she had in the situation. She recalled the phrase – “the rescuer can become the persecutor” and acknowledged the potential for abuse or exploitation. [533-545]

When asked about her “ethical responsibilities” in the situation, Sylvia described “raising” Pedro, “preparing” him for life in the U.S., “teaching” him and “treating him right.” [577-596]

Sylvia indicated that she thinks it’s fine (and common) for teachers to foster or adopt kids in their classes. However, when asked about “clinical social workers” adopting or fostering clients, she anticipated feeling out of her depth (“I don’t know anything about clinical.”) and deferred to the “do no harm” tenet. She indicated, “I don’t think I could adopt a child under those circumstances.” [669-686]

**Interview D – Michelle, urban Northeast, USA**

(date - 3.30.14, telephone)

Michelle received professional education in social work and has an MSW but does not always “identify” as a social worker. [line 74; 353-354] She is a member of a listserve of “radical” social workers who share similar ideas and approaches to social work. [365-367] Michelle’s professional career has included (1) advocacy / community organizing work at a small non-profit focused on child welfare and (2) case management work with family court child welfare cases (i.e. defending parents). [68-79] At the time of this interview Michelle was not employed. She reported that she quit her case management position after feeling “burned out” and “depressed” with case management and child welfare direct service work. [81-85]

Michelle met Jenny and her mother in March, 2011 [224] in the context of doing curriculum development and community outreach for a pilot group for families who had been reunified recently from foster care. [179-185] Jenny was about to turn eight. [195] Michelle described not feeling “really crazy about” Jenny initially and preferring to work with adults. [196-200] Michelle and Jenny’s mother formed a relationship that continued through a book discussion group after twelve weeks of family group ended. Jenny’s mother also continued involvement with Michelle’s agency by participating in a weekly support group for parents. [233-234] Since Jenny’s school and home were also in the same neighborhood where Michelle lived, she and her mother would spend some time at Michelle’s house. (Jenny would use the computer and her mother and Michelle would talk or do “organizing work.”) [204-216]

In January, 2012 Jenny’s mother attempted suicide and checked herself into a hospital. She asked Michelle to take Jenny until she was better. [235-246] Child Protective Services (CPS) were no longer involved in the case, and Michelle’s supervisor indicated support. (The agency advocated for “community-based child welfare.”) [247-251] Since Michelle and Jenny were already familiar with each other and to avoid a more disruptive, out-of-community placement with CPS, Michelle agreed to take Jenny. [259-264] Michelle (and her sister who also lived at her house) kept Jenny for about a month. Michelle described that the arrangement had minimal impact on Jenny and “didn’t seem to affect her.” [264-282, & email]

Michelle’s work flexibility and support from her sister eased some of the challenges of taking Jenny in. Michelle describes initially feeling “nervous” and “worried” about the open-ended arrangement (i.e. not knowing how long Jenny would live with her). [290-303] In retrospect, Michelle reflects: “It really was like the stars aligned in the situation. You know like the flexibility, the help of my sister, the proximity of Jenny’s school to my home and to my job. ... [T]he separation was lessened hopefully with her mom coming over all the time and even sleeping over ....” [474-480]

When asked about how she thinks about her “ethical responsibility” in the situation, Michelle references her “privilege” in the situation. She cites having an apartment with

“extra space for Jenny” and “... not having suffered what this mother had suffered ... as a single mother dealing with all these issues.” [480-485] Michelle reflects: “So, I felt like, I really felt like I just didn’t have a choice. So, I felt a very strong ethical responsibility because as I said I had no idea if the state were to get involved where it might place Jenny and what destruction and trauma that might cause her. And the mother didn’t have any other family or friends at that point to be able to step in. So, it was very clear to me, even though there was a little, I was a little nervous at first and I wasn’t used to having a kid around all the time. But, this is like something that had to happen ....” [485-493]

When asked to describe the “transition from a professional role to a parental role,” Michelle expressed some dissonance with professional identity. She described her workplace environment as “non-traditional” and not “very professional” [349-353] and said that the executive director was “pretty radical in a lot of his beliefs.” [384-385] Michelle concluded, “I wouldn’t say that I thought of myself in a very professional way.” [395-396] Stating exceptions for “romantic or sexual boundaries,” Michelle indicated that “boundaries” were not that important in her work role, which was more “community focused.” [386-390] Michelle also disagreed with prohibitions on personal disclosure with clients under the directive of professional boundaries. She said, “I’ve always had a problem with that because I feel like if I’m interacting in someone’s community in this role, that it’s only human that they’d want to know a little bit about me. You know, I’m not going to put myself on a pedestal and think that I shouldn’t disclose anything at all. I might be asking a lot of really personal questions, you know, about people’s lives. So, why shouldn’t I become a human being and share a little bit about myself if it’s, you know, relevant?” [131-138]

When asked to consider an ethical imperative of “do no harm,” Michelle draws distinctions between following standard procedure and doing harm. “Well, I mean in this particular situation and the context of this situation that we’re talking about I felt like I was not doing harm by [not] reporting or following up with the CPS because I saw the trauma that the mother and the daughter had gone through because of the past experience with CPS. So, I guess in that sense working in child welfare, getting the state involved is so clearly doing so much harm on so many different levels. So, in that sense I felt like I was able to do no harm and respond to the situation.” [432-439]

Michelle’s perspective of practice is rooted in a “social justice” orientation [49] and informed by understanding “systemic issues” that contextualize individual problems in terms of “what they are up against in society as a whole.” [442-446] Michelle speaks to a potential tension between having a “grasp of our own identities” and “working toward systemic change” that can result in further doing “... harm to the situation that we’re trying to change.” [447-451]



## Interview E – Jason, New England, USA

(Date - 4.2.14, telephone)

Jason worked his way into a supervisory position in social work/mental health but has no formal schooling in professional social work. He earned a college degree in music performance. [Lines 62-63] With work experience with youth at summer camps, Jason's early professional career started with working "one-on-one with youth with emotional and behavioral challenges in a community-based setting." After a couple years, he became a transition case manager at a juvenile rehabilitation center. Then, he became a "team lead" (supervisory role) in a residential program for youth with emotional / behavioral challenges. [75-103] Jason describes a "very positive" experience with working professionally with families and youth and feeling "proud" to have been part of the organization he worked with. After moving into a supervisory role, he worked more directly with "a lot of really burnt out staff." He found these conditions more "challenging" and cites it as a reason for leaving direct social work practice. [135-144]

Jason met his adopted son, Chris, at the residential program where he was team leader. Chris was nine-years-old. After being separated from his biological parents at four-years-old, Chris had been through a series of unstable placements and failed reunification efforts. [249-255] Jason held a supervisory role in the "house" where Chris resided; he led groups and participated in daily activities and routines. [198-209] Jason also served as Chris's "mentor," which meant spending extra time together and occasional outings. [221-227] While interacting in the therapeutic setting, Jason did *not* act in the capacity as Chris's "therapist." [211-213]

At 25 years-old and married, Jason had no plans to adopt and "wasn't even considering biological children at that point." [265-268] However, within three months of meeting Chris the thought began to cross Jason's mind. He describes feeling as if Chris was "supposed to be part" of his family and compares it to the feeling he had when he met his wife. [232-242] This feeling happened quickly and "out of nowhere" [268-269] but was not "impulsive" [241]. Jason explains, "... it definitely wasn't the first cute kid with a sad story I've worked with. So, it wasn't an impulsive thing, it was just a sort of overwhelming feeling ..." [240-242]

Jason began to discuss the possibility of moving into a parental role with Chris with his wife and his supervisor just three to four months after meeting Chris; Jason describes both of their responses as "supportive." [263-280] The conversation then moved forward to Chris's treatment team. The treatment team identified a concern about Jason having a dual relationship with Chris. Jason recalls, "... because I was working in this house, um, and we all of course felt very strongly, he couldn't come start doing visits to my house while we were still in that situation. That wouldn't have been appropriate in that context." [286-294] Jason explains that home visits would not have been "appropriate" or "ethical" because it could lead other residents toward a perception of "special treatment" for Chris, and it might create "confusion" for Chris. [383-393] Jason connects these concerns to the ethical principle of acting in the "best interests of the

client.” [383-384] The treatment team resolved the issue by moving Chris into a temporary community-based foster home and out of the therapeutic group home so that he could start visiting Jason’s home as part of pre-adoption procedures. Jason was pleased with the treatment team’s “solution” and describes it as an outcome of “creative thinking.” [297-309] Jason explains, “...[T]here was no longer that conflict of I’m suppose to have this professional role and I’m also considering this parental role.” [337-338] He continues, “I think because we handled it very ... openly and as professional as possible. We were all very, very aware of that and going out of the way to find a way to allow for visits and that sort of thing without him being part of my professional life ... .” [370-373]

At the time of the interview, Chris was 13-years-old and the fully adopted son of Jason and his wife.

When asked about reaction from colleagues, Jason describes some “friction.” Jason recalls hearing about a colleague who said that he had taken the job to “grocery shop for a kid.” He adds that he never fully understood the “anger” and resentment from some of his colleagues. [349-359] Jason does not recall any “ethical” concerns about “crossing a line” but describes receiving advice that he was “very young” and didn’t necessarily know what he was getting himself into. [362-365] Regarding family and friends, Jason describes feeling supported by the “folks that mattered.” [442] He expects that some cautionary advice from family and friends came from the stigma attached to a child who has been in a “high-end mental health” facility. [431-432]

When asked about professional codes of ethics, Jason emphasizes that actions should be taken for the “best interest of the client” and should have a “client-centered focus.” Jason also recalls “specific things” like “not accepting a gift and not sharing personal information.” [179-190] Regarding his relationship with Chris, Jason remarks, “I was acutely aware of it in a professional setting and not wanting to do anything unethical or inappropriate in the context of work.” [530-532]

Jason describes some aspects of the transition from professional relations to personal relations with Chris as feeling “strange.” He specifically describes being aware of limits to expressing affection in professional life. He remarks, “... as a parent you know on a Saturday morning the kid comes and gets in the bed with you. That’s a normal thing – like he wants to cuddle or whatever. If you’re in a professional setting that’s about the most odd and that would be extremely inappropriate.” [405-418]

When asked about how he dealt with the expectation of distance and “not being too involved” with clients, Jason describes being aware that he was not going to be able to stay on the sidelines with Chris. He says, “... it was a very different feeling from the offset.” [482-490] Jason recalls “some sort of spark with him” [494] and being drawn to him, in part, because of his “unbelievable resilience.” [516-517] Reflecting upon this, Jason recalls something that his supervisor said to him: “Sometimes kids pick their

parents.” [545] Of his experience with Chris, Jason shares, “So, I think it hasn’t changed my ethical perspective but certainly my understanding of becoming a parent – how sometimes that looks very different than the traditional route.” [545-548]

**Interview F – Alexa, Northeast, USA**

(Date - 4.19.14, telephone)

Alexa chose to study social work after graduating from college and working with youth for a couple of years. She earned an MSW with a “group work” concentration. Her interests and experiences in social work include international human rights and youth work. [Lines 91-103] She describes a “social justice” orientation to social work. [110-111] Alexa has led groups and provided “informal counseling” at a youth education / drop-in center; she has also worked as a case manager in an organization that provides immigration legal services to youth.

Alexa met Jason while serving as his case manager in immigration legal services. She was the first social worker in an organization that was staffed mostly with attorneys. [162-167] Jason was seventeen and homeless with no connections to the surrounding area after being “plopped down” there by immigration authorities. Her job involved connecting Jason with healthcare, mental health services, housing, etc. Alexa explains that Jason had been “kicked out” of various shelters and housing. She gradually began doing “more and more counseling type stuff” with him and found “trust” issues and a history of “an incredible amount of trauma.” She describes, “... after several months went by I was the only person that was consistently in his life besides his lawyer.” [176-196]

At twenty-eight-years-old, Alexa had previously thought about adopting or fostering older adolescents but had no active or immediate plans to pursue it. [206-209] Alexa describes the “moment” when she began to feel more personal responsibility toward Jason: “... there was a particular moment when he was beaten up pretty badly in the street and he called me right after to go with him to the police and the hospital.” Recognizing her “ability to make a difference,” Alexa asked, “... why am I just sitting here watching terrible things happen when there is something more useful I could be doing?” [213-220] The meaning of that moment channeled Alexa’s pain, frustration and feeling “helpless” in the face of Jason’s suffering. She recognized that the professional, standard operating procedure was not enough. She describes, “... I have access to shelter and I have facilitated this housing and that housing and an independent living program and, and it was at a point that I could see that making referrals, talking to supervisors, doing the case work thing was not sufficient for him to become housed because what he needed was a different way of dealing with him and a different type of relationship and just a whole different type of support.” [226-245]

As Alexa searched for a potential legal guardian for Jason and his immigration case, he asked her, “Why can’t you do it? Why are you looking for somebody else?” [252-259] This is when Alexa said to herself, “Okay. I need another job,” in order to become Jason’s legal guardian. Within six months Alexa pursued study in a different profession and took a new job in that field. [262-272] Once she resigned her case management position, Jason moved into her home, and Alexa filed papers for legal guardianship (which were eventually awarded). [333-339]

Alexa decided that she needed to switch jobs and professions based on her own understandings and those of co-workers and social worker peers. From her case manager role, Alexa describes “knowing” that she should not and could not take Jason into her home. After thinking it over and discussing with others, Alexa explains, “It was the shouldn’t, and I felt very strongly that I should but I felt that many other people felt that I shouldn’t and that might make it difficult for work.” [250-252; 294-304]

At the time of my interview with Alexa, Jason had recently turned twenty-one—the age at which legal guardianship terminates. Although they have discussed legal adoption, Alexa indicates that “he’s not ready for that.” Jason continues to live with Alexa, and she describes their relationship as “moral adoption.” [344-352]

In the context of her connection with Jason, Alexa describes a “very strong, personal ethical responsibility” to him. [314-315] When asked about ethics, she talks about a “collective human ethical responsibility to each other,” [316] an “obligation” to take care of each other [416] and “a personal responsibility to do what we can.” [419-420] She includes the possibility of self-sacrifice as part of ethical responsibility. [413] She also cited her own “privilege of having the ability to provide what’s needed.” She explains, “I had space; I had time; I had emotional availability; I had some understanding ... practical tools to do so. And, I think that, you know, if you do have that then there’s a moral imperative to do it.” [477-484]

During the process of transitioning from a professional role to a personal / parenting role, Alexa recalls “a couple” of colleagues and social work friends who were “very supportive.” [398-401] Concerns that were expressed by colleagues were explained as being “scared” about what might “go wrong” [375-377] and general concerns that Alexa didn’t know what she was getting herself into. [395] Alexa thinks that the concerns expressed by her supervisor (an attorney) were more focused on her career – “not too much direct, you know, ‘that’s wrong’ or ‘that’s unprofessional’ but ... implying it.” [388-389]

When asked, Alexa confirmed that she felt like she was “crossing a line.” [368-369] She explained her decision to quit her job and exit the social work profession: “... I just had this idea in my head that, you know, if I quit this job so that Jason can come live with me and then I apply to another social work job and they’re like ‘why did you leave there?’ and then they’re gonna call my references and then they’re gonna be like ‘you’re crazy and we’ll never hire you’.” [297-301] At a later point in the interview, Alexa adds “... maybe I didn’t have to [change professions] but it felt like I had to.” [425-426] (Alexa notes that since then she has “come back” and currently holds a position in social work.) [428-431]

When considering “professional ethics,” Alexa thinks about doing “what is right” and not causing any “harm.” When asked about “unprofessional” actions, Alexa includes anything that is “hurtful” or anything that is done for self-benefit rather than the client’s

benefit. [139-153] When specifically asked about “professional relationship boundaries,” Alexa indicates that some are necessary while others may not be. Regarding her situation, she explained, “I think it would not have been appropriate for me to become Jason’s guardian and have him live with me while I continued to work at that job. ... I think that would be crossing an inappropriate line ...” [492-497] At the same time, when asked, she confirmed that she experienced “professional costs and repercussions.” Alexa explains that she changed professions, took a pay cut and went through a period of “very unstable” income. [423-427]

Finally, when asked how she might want professional social work to be different based on her experience, Alexa indicated “more critical thinking” and “questioning.” [439; 448] She explains, “... I am somebody who, if I feel there’s some rules, I want to know why they’re there and what’s the purpose of them and do they help or do they not help, and, you know, I believe in civil disobedience. ... if there are rules that are not good, should we change them or should we break them or both?” [441-447] She continues by reflecting on “distancing” practices in clinical social work. “I think they can put a lot of space between the social workers and the people that we work with and kind of take away from humanity ...” [450-452] Alexa suggests that professionals consider how they are defining relationships in their heads, out loud and on paper and ask, “what implications does it have for humanity and everybody involved?” [455-457]

**Interview G -- Mark & Liz, Southeast, USA**

(Date – 6.13.14, in-person)

Mark and Liz are married to each other and live in a rural area in the Southeast of the United States. Both have had life-long careers in education. Mark describes coming from a family of educators. Over his professional career he has been a middle school teacher, a principal, a curriculum director, an assistant superintendent and a superintendent (his current position). He remarks that he had a goal to become a principal from “early on.” [Lines 37-49] Liz’s professional career has included teaching exceptional children, teaching elementary school and working as a curriculum specialist. [73-94] They both have many years and extensive histories of working in public education. [142-143]

Mark was the principal of a middle school when he met John, a student at the middle school. Mark became familiar with John in the context of dealing with his conduct problems, which were ongoing throughout 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades. Mark describes behavior such as acting out, disrespect toward teachers and fighting. [278-283; 428-429] Mark recalls, “... I suspended him out of school; I assigned him to in-school suspension; I talked to his mother; I took him home because he was being disruptive on my campus. ... It was a relationship build on him getting in trouble all the time and me having to provide discipline.” [283-287] Mark also recalls that John was a little different from other students who got into a lot of trouble because he showed “remorse.” [293-295]

Once John moved on to high school he struggled academically and his home life became increasingly unstable. John played high school football and was connected to a network of coaches and parents of other players. Mark had friends who were also part of this network in their small-town setting and received regular updates about John. [484-486; 535-536] In March of John’s freshman year, he became homeless after his mother moved out-of-state. [497-498; 561] As temporary and informal living arrangements began to fall through, Mark received a phone call from a friend who reported that John had “nowhere to go.” [545-546] Mark and Liz were active foster parents; Mark contacted the Department of Social Services, and a Judge placed John with them on that day. [547-549]

Mark recalls that John was “not happy” when Mark explained to him that he was to come and live with his family. [575-578; 616] Mark offered, “You can stay here as long as you need to.” [620] John stayed with Mark and Liz through his remaining years of high school. Mark and Liz attribute knowing John’s history as part of the reason the placement was successful. [666] They also regard ongoing support from his football coach and teachers as creating a “village” effect. [690-693; 718] As “advocates for education,” they also helped him focus on passing his high school classes and graduating. [666-685]

By the time John graduated from high school, Mark was the acting Assistant Superintendent of the school district. He does not recall concerns about his dual

relationship (professional and parental) with John. Mark explains, “I don’t remember being worried about it impacting my professional career or anything in terms of professionalism, because I think the members of that community where I was principal – they knew our story. They knew we were foster parents.” [762-772] Mark and Liz have one biological child, four adopted children and have taken care of numerous foster children. [887-898] Mark states, “She and I are just geared toward kids and taking care of kids.” [926]

When asked to elaborate on the “responsibility” that he felt toward John, Mark explains that there was nobody else to take him in and “... bottom line—it felt right.” [923-924; 931] He adds, “I kind of felt sorry for him in school.” [916]

When asked if he would have taken on a parental role with John had he still been John’s principal, Mark answers affirmatively, “I would have done that.” [952-953] He elaborates, “That’s my job and I have certain responsibilities and, yes, I’m expected to be professional and all that. But also as a human being, I have responsibilities and as a father and a husband, I have certain responsibilities.” [947-951]

When asked about “professional ethics,” Mark lists confidentiality, prohibitions on “inappropriate” relationships with students and “hiring ethics” as aspects that stand out to him. Liz brings up social media and “not friending students outside of school” so as to maintain “professional” relations rather than “personal” ones. [184-187] Mark also refers to North Carolina’s Professional Code of Ethics for Educators and suggests that it should be referred to more frequently. [223-229]

When asked what they think of other teachers who may “cross a line” to move from a teacher role to a parental role with students, Mark and Liz respond with caution. Liz cautions that nobody will be able to fill the parental void that some students experience. [1005-1021] Mark’s answer reflects an administrative perspective: “You were hired to be the student’s teacher and not the student’s parent...” [980-981] He also cautions that parenting kids from unstable family backgrounds is not easy [983] and not a “Hollywood fairy tale.” [1003] Mark regards his situation with John as an exception rather than the rule of professional responsibility. He states, “... it is our job ultimately to teach and educate these kids and to guide them in terms of some type of character development. But, ultimately, it is someone else’s role and responsibility to serve as the parent for them, for these kids. Now, it just so happens in this case, he had no more parents.” [991-995]