

## Chapter 5

### Agencies

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#### Questions

## 2. Integrity and agency policies

### a. Internal ethical problems

Along with most of the cases we have considered so far, Skimming and Buying friendship illustrate that it is not easy being a social work practitioner. The very nature of the position guarantees conflicts which it may not be possible to resolve. June's problems are what we may call internal to the profession (see the Code of Ethics 1.06(a) & (b)). She has these problems because, given the position she holds, some cases will create conflicts of interest, and she will have such conflicts as long as she remains in that position. They are built into it. Such conflicts can sometimes be intractable, incapable, that is, of being resolved in any satisfactory way.

A comparison may help. Physicians are obligated to care for their patients, but also must learn to look at bodies without becoming embarrassed or giggling. They must look at them as objects. The last thing we would want is that we disrobe for an examination and have our physician giggle at the sight of us. We want what we call a professional demeanor in our physician, and that means that our physician is to view us as a mechanism, like a bicycle that seems not to be working properly. But caring for us requires not looking at us as objects, but as persons who suffer and need sympathy and care. These two requirements -- that we be looked upon as objects and that we be treated as persons who suffer -- are both imposed on physicians, and so are internal to the profession, but are in tension with each other. It is not easy, and perhaps not possible, to look at people as objects while also being

sympathetic to their plight as suffering individuals.

Just so, the very nature of the position social workers are in can create ethical tensions, seeming to require that the practitioner act in incompatible ways at the same time. Linda's problem in Skimming is that she is both an employee of the agency and a recipient of a grant, and that position creates the possibility of ethical problems because, as we saw, her director may order her to do something she cannot do as a grant recipient (see the Code of Ethics 3.09(a), (c) & (d) & 4.04).

Many of the cases we have examined raise ethical issues that are internal in this way to the profession. In 1.1 The death of a baby, Deborah had an obligation to report what she knew about the causes of the baby's death because she was obligated, as a social work practitioner, to report suspected child abuse. But she also had an obligation, as a social work practitioner, to provide care and support for the family of the baby. They were her clients, had suffered greatly already, and would suffer even more were she to report what she knew.

## **b. External ethical problems**

Such internal ethical issues are difficult enough, but, unfortunately, professionals have other kinds of ethical problems as well. They are persons, with beliefs and commitments, and they may find that what they are sometimes obligated to do as social workers is in conflict with what they believe, as individuals, they ought to do. We call these external ethical problems because they are not dependent upon what it is to be a social worker, but upon a conflict between what being a social worker requires and what the particular individual who is a social worker believes.

Another comparison may help. If physicians who work with pregnant women were obligated to provide all legally permissible medical procedures, then those who believe that abortion is wrong would have external ethical problems. For they would be obligated to provide abortions because abortions are permissible medical procedures. They would thus be obligated to do what they believe ethically wrong. This is not an ethical problem internal to medicine because nothing about being a physician requires that one believe abortion ethically wrong. A physician who came to believe abortions ethically permissible would cease to have this ethical problem and yet not be any less a physician. This sort of ethical problem is thus what we call external to the profession.

As this example makes clear, some external ethical problems may be extremely difficult for practitioners. We need only imagine a physician deeply opposed to abortion who is required to provide them. Such a problem can be especially difficult because it seems that practitioners are forced to choose between their careers and their integrity as ethical persons. Consider the following case:

### *5.3 A pacifist*

Helen works for an agency that has a contract with a company with significant defense contracts. She is a pacifist, but she was asked to coordinate the agency's work with the company. When she told her supervisor she did not want to have anything to do with this company, her supervisor told her that if she were serious in this, there was a real possibility she would be out of work. Besides, the supervisor added, it is not the company she is helping, but its employees.

The agency's general mission is to help workers who are too poor to afford

purchasing help on their own, but the workers of this company are very well paid. So the contract departs from the agency's mission. On the other hand, the contract is lucrative, and, Helen tells herself, the profits allow the agency to further its mission. It is 'taking from the rich to give to the poor.' Besides, she thinks, if anyone needs help, those working in the military-industrial complex do.

Yet, Helen realizes, if she is successful in counselling them, she may make them more productive and thus herself be supporting the military-industrial complex. On the other hand, she thinks she may be counselling those who are having difficulty with the system at the company to leave the company. In addition, though the agency is taking from this particular corporation to help the poor, she thinks that in general the support we give the military-industrial complex takes away from what we could do for the poor.

She and her supervisor worked out a compromise that she work with the employees, but not be the coordinator for the agency and the company.

The issues in this case could be raised in a variety of ways. The agency you work for might have a contract with a waste management firm not known for its commitment to the environment when you are deeply committed to cleaning it up, or with a governmental agency with policies you disagree with, or with a private non-profit public interest group that is pushing for regulatory changes that you judge would harm those your agency is committed to helping. We need to sort out two different issues such cases raise.

First, ought you to help those who may harm your interests as a social worker? Working for a public interest group opposed to any form of welfare would seem to raise this issue most sharply because it seems part of what it is to be a social worker that one is committed to advocating for a social safety net and to assisting the poor and oppressed to have their basic needs meet (see the Code of Ethics 6.01).

Second, ought you to help those whose policies you oppose, not as a social worker, but as an individual? Some social workers may think it essential that we have a strong defense and others may oppose war. It is not necessary, however, in order to be a social worker, that one be a pacifist any more than it is necessary, to be a physician, that one think abortions wrong.

Neither of these two questions is easy, but they are different questions. The first raises an issue about what it is to be a social worker. To determine what one ought to do, one would have to determine, among other things, whether it is an essential commitment of social work, and thus of social workers, that they support the social welfare system and serve the poor and oppressed. And then one would have to determine whether it is essential, to be a social worker, that one help others -- such as those opposed to any form of welfare -- irrespective of what you may believe about what you are doing. This first question is about something internal to the profession, that is.

The second question concerns a personal belief of the social worker, one a person need not hold to be a social worker. So that question is about something external to the profession. Ought one to do something as a professional that one would not do as an individual?

We shall concentrate upon this second question here, but it is no easier than the first, and neither is made easier for someone, such as Helen, who risks being fired if she does not answer it the way her agency wants her to. Unlike Linda in *Skimming*, who had no good reason to fear she would be fired despite being told she would be fired if she disobeyed orders, Helen may be fired if she does not work with the company. So she has a good practical reason to work with the company. But that does not settle the ethical issue of

whether she ought to work with the company, despite her personal beliefs.

As she recognizes, that issue is not simply one of good versus evil. There are benefits of working with the company. She is helping the employees, and she is earning money for the agency that can be spent on others the agencies is charged to help and would have difficulty helping without the lucrative contract with the company. Whatever her personal beliefs, these benefits would occur.

On the other hand, she is not sure, as she admits, that she would be completely unbiased in the way she would help those employees who are having trouble in the company (see the Code of Ethics 1.06(a)). She says she is inclined to counsel them to get out of the system. Her ethical belief may make her less effective as a social work practitioner, that is, being less objective about what those she is counselling really need. So that is a reason for not helping, even if she became convinced she ought to.

So what ought she to do? She chose to compromise, agreeing to work with the company's employees without serving as the agency's coordinator with the company. Presumably she thought that being the official representative of the agency to the company would compromise her commitment to pacifism too much, and her agency agreed that she need not be the coordinator. So the dilemma she faced was not as stark as it could have been. She was not faced with either working with the company or being fired. She and her director found a way for her to work with the company in working with the employees.

But this choice is not without its downside. She is working with the company, and so to some degree she is supporting the military-industrial complex she opposes. She may help the workers become more productive, and by helping the workers, she may help the company make a better showing and justify even more governmental spending on the military rather than for the poor. So, someone might object, she cannot be a real pacifist and still work with employees of the military-industrial complex. She has rather compromised her moral integrity, it might be claimed.

A second problem arises because it is difficult for any institution, even if it is a social work agency, to let its employees pick and choose which contracts to work on and which ones not. Besides the complications of monitoring such a policy to ensure that the objections to working on a contract are based on conscience, and not convenience, the agency would be giving its employees a veto over what those in charge of the agency have judged is in its best interests. Organizing an agency to allow for this sort of conscientious objection on the part of employees may work, but as in all structures that require consultation and agreement, it would take more time and energy than the usual hierarchical arrangements in which workers are assigned responsibilities. Helen was able to reach a compromise, that is, because her agency permitted it, but such a compromise is not always possible.

It is clear that Helen is herself torn about what to do, recognizing, on the one hand, that if she works at all with the company or its employees she will harm the ethical purity of her position, and, on the other, that the agency has good reasons for its contract with the company and that some of its employees do need help she is able to give. The compromise she chose is one way through these conflicts.

Such compromises tend to be the norm when we are faced with competing ethical demands that are so evenly matched, with the harms and benefits so balanced, that no one option seems obviously better than the other. We choose a way to satisfy as many of the demands as we can, without undue harm.

Were Helen's problem internal to the profession, we could say more about whether she did the right thing. We could ask whether the competing ethical demands are both essential to social work, whether one or the other better realizes social work ideals, and so on. But because Helen's problem is an external ethical problem, arising because of a belief she

has about pacifism that need not be shared by other social workers, the ultimate decision must be hers. This is not the trivial claim that those who face ethical problems must make the moral choice, but the claim that the person affected is best positioned to put the proper ethical weight on personal moral beliefs.

It is Helen's ethical integrity that may be denied, or compromised, or upheld -- depending upon whether she decides to act as the agency's coordinator with the company, decides to work with the employees without being coordinator, or refuses to have anything to do with the company or its employees. It is not her ethical integrity as a social worker that is at issue, but her ethical integrity as a person who happens to be a social worker. Determining what she ought to do does not mean, as with a problem internal to social work, balancing competing social work demands, but rather balancing what a social worker ought to do with what Helen ought to do. And so, even with more understanding of the case, an outsider may not be able to assess well her choice. Though we may be able to determine what a social worker ought to do, if we had an ethical problem internal to social work, we may not be able to determine what Helen ought to do. The best we can do is to try to do what the first step of our method tells us we ought to do, namely, reconstruct what would justify one of her choices rather than another. It may turn out, as we do that, that we can see that some choices are not good choices, but it also may turn out, as it seems to have turned out in this case, that we cannot be sure whether the right choice was made or not.

So one difference we can discover between the sorts of ethical problems we have looked at so far and the external ethical problems we are examining in this section is that in regard to the latter sort of cases, we cannot as readily assess the decisions practitioners make. This is a significant difference if only because some believe that no one can ever tell what someone else ought to do. What they say is truer of A Pacifist and other such cases than it is of the sorts of cases that raise internal ethical problems.

To take the simplest such cases, the ones that cause no problems, social workers ought not to lie to their clients, for instance, or cheat their colleagues, or steal from their agencies. That is, they ought not to do these things without an overwhelming ethical reason, something that could ethically justify doing what is *prima facie* so wrong. Thus, to take a clear case, a practitioner might justify lying to a client to protect the client's life. The harm caused by the lie would be offset by the greater good caused by it.

Even in harder cases, where there is an ethical dilemma, or where the case is problematic in some way, we can often determine what a social worker ought or ought not to do. We have seen this in case after case. Thus, in *Doing what the judge orders*, whatever else John ought to have done, he ought to have talked with Al about the risks of unprotected sex when one may be HIV-positive. Even in cases where it is not clear what the social worker ought to do, we can go a long way towards getting clarity -- laying out what being a social worker ethically requires, getting clear on what the options really are, and understanding more clearly why a decision is not clear.

What we discover in *A Pacifist*, however, is that we cannot be sure what Helen ought to do. The reason for that is that we cannot put an ethical weight on the moral values she holds. We cannot be sure how deeply she is committed to pacifism or what sorts of compromises she can make and still maintain her integrity. For they are compromises she must make not as a social worker, but as a person.

Such external ethical problems are shared by all the professions, as the example from medicine with which we began this section makes clear. For it is always the case that the demands of our profession or our employer may run counter to what we believe we ought to do as individuals. A lawyer may feel sympathetic to a client's plight, but good legal practice requires hard questioning, the sort of unsympathetic querying that an opposing

lawyer is likely to dish out when the client is on the witness stand. A lawyer's job requires knowing a client's answers to such queries, the better to defend against them, and being sympathetic may harm the client rather than help because the lawyer, and the client, may be less prepared to respond to unsympathetic questions of the opposing lawyer. So what is required of lawyers in preparing for a case may run directly counter to what they feel they ought to do as individuals.

Thus, to summarize, this sort of conflict raises two different ethical problems for a professional. The first problem is that the professional may be obligated to do something he or she would not do as an individual. This obligation may arise either from what it is that social workers, as social workers, are required to do or from what a social worker, as an employee, is required to do. The latter is Helen's problem in *A Pacifist*. The other problem is that being a professional may require a character and an attitude that run counter, or are at least in tension with, what one thinks one ought to be as an ethical individual.

### **c. Having an ethical character**

The character we display, the attitude we have, and the emotions we feel are as important as what it is we do. Indeed, to be accurate, they are part and parcel of what we do. If a person were to run down a child, by accident, as the child darted between parked cars, we would be aghast if all he or she did was say to the family, 'Oh, I'm sorry.' What is ethically required in such a situation is that one be sorry and so evince all the emotions, and the appropriate attitude, of someone who is truly sorry. Sometimes, indeed, the emotional response one gives is far more important ethically than whatever it is one says. Someone in deep pain may not hear you well, but can feel the sympathetic hug.

This concern about how we ought to do what we have determined we ought to do runs throughout the cases we have examined. The guide to ethical decision-making is divided into two parts, (1) through (4) telling us how we are to determine what to do while (5) says,

- (5) Determine how to do what you have determined ought to be done and do it in a way that will itself produce more good than harm.

The point of (5) is that it is not enough to determine what to do. We also need to determine how to do what we have decided we ought to do.

But how we act is reflective of our character, and in *A pacifist*, Helen has an ethical problem because her agency is asking her to act against her character. It is, as we said, her ethical integrity that may be denied, or compromised, or upheld -- depending upon what she decides to do and how she decides to do it. She must not only decide what to do, but both go about deciding what to do and then do it in ways that reflect her sense of herself. For instance, threatening her manager for putting her in such a situation would seem not the right response for someone committed to pacifism.

We have seen this sort of issue before. In *Peers?*, for example, what Margaret ought to do is to talk with Henry, the social worker for the boy who sexually abused his sister. Henry wants to put the boy back into the family; Margaret thinks that a mistake. In describing how she would meet Henry, Margaret said she would have to 'confront' him, but if she were to confront him, then she and he are not likely to be able to talk through the problem they have of determining what is in the best interests of her client and his. What turns out to be crucial in that case is not just Margaret's deciding what to do, but determining how to

do what she ought to do. Going about talking to Henry in the wrong way is likely to set back the interests of her client, not advance them. One of the disturbing aspects of the case is that Margaret thinks she must confront Henry. That she thinks that is her only choice tells us more about her than anything about the situation. It looks to be a character flaw that she seems unable to see other less harmful alternatives.

In both Peers? and A pacifist, as well as in the other cases we have examined, it is essential to have the right emotional response and the right attitude. We do not mean to suggest that one ought to fake these aspects, as though one could take on one character or another, as the situation warrants, or that one ought to work to tailor one's emotional response and attitude to the situation at hand. The point is rather that one ought to strive to be an ethical person and that being an ethical person requires more than deciding what is right. It requires doing what is right, and doing what is right requires having the right emotional response and the right attitude, both of which come from having the appropriate character. We ought to strive to have an ethical character, that is, and then doing what is right will come from our character, with the appropriate emotions and the right attitude.

#### **d. Professional character traits**

But striving to become ethical is a lifelong pursuit, and one feature we need to attend to if we are fully to appreciate how difficult it can be to be an ethical professional is that the sort of character one has to develop, or comes to develop, as a professional may be at odds with the sort of character one ought to develop as an ethical person. The alternatives in that statement -- has to develop, or comes to develop -- are important. The problems may arise because of some character traits the profession itself either requires or encourages. Let us briefly consider each of these in turn.

(a) As we saw, empathy may get in a lawyer's way of seeing the kinds of problems with the case that an opposing lawyer would exploit. A lawyer has a professional obligation not to be too empathic or kind-hearted. But a lawyer's manner, honed in an office and in court, ill serves the lawyer with family and friends. A person may find it difficult to integrate the professional attitude necessary to be successful as a lawyer with the sorts of attitudes appropriate for friendship and intimacy. The traits one has to develop to be successful in a particular profession, in other words, may be just the traits one does not want in other, non-professional relations.

Social work practitioners might seem not to have this problem. After all, the traits we most value in our personal lives are just the traits social workers must hone in their professional lives into skills -- the ability to listen well to what others are saying, the capacity to empathize with the problems others have, the ability to understand individuals in their social contexts, and so on. As the Code of Ethics says, social workers' 'primary goal is to help people in need and to address social problems,' and they are obligated to 'increase their professional knowledge and skills and to apply them in practice' (Code, Ethical Principles). But, as it turns out, social workers are not immune from this common professional problem of integrating their professional and personal lives. It is just that they generally seem to have the opposite sort of problem that lawyers, for instance, seem to have.

In 5.2 *Buying friendship*, June felt that she could not just take the money that Don offered and leave. Her difficulties arose in part because she seemed unable to act only as the director of an agency concerned to raise money. She wanted to help Don, and it was her wanting to help him, along with wanting to obtain his donation, that caused her problems. Of course, helping Don may have been the right thing to do. But June would not have had

such an obvious problem if she had not been committed to helping others. Similarly, in Relapsing, we will fail to understand Corliss's problems in trying to help Cynthia if we do not see that Corliss thought Cynthia needed tough love to help her overcome her problems with alcohol and that being tough in that way, even for a good end, can be difficult for someone whose natural response may be to be empathetic and caring. Being empathetic and caring while setting clear limits is a real skill that can be difficult to achieve.

(b) Professionals may also come to develop character traits in their profession which make it difficult for them to be as fully professional as they ought to be. It is a common problem some nurses have who must care for those who are terminally ill. It is difficult to lose patients, and giving a full commitment of love and caring for patient after patient, all of whom die, can carry a heavy toll. A nurse quite predictably may become less willing to give so much when so much is lost, and yet that response, however natural it may be, makes the nurse less able as a nurse. Terminally ill patients certainly need as least as much as those who are going to recover and perhaps more, and the hundredth terminally-ill patient is in much of need as the first. It sounds paradoxical, but it is true that the very practice of the traits that most mark a professional may, in certain circumstances, make the professional less able to practice those traits.

Social workers may become as burnt out as nurses as they try to maneuver through the bureaucracy or as they listen to more complaints from clients. They may find it difficult to maintain the capacity for optimism in the face of what often appear to be intractable bureaucratic hurdles over which they have little control, and they may find it hard to listen empathetically to the same client who has failed, yet again, to do what they were told they had to do in order to continue to get support. The very nature of the position social workers find themselves in will often complicate, and may well compromise, their capacity to realize the ideals of the profession. We see, once again, that it is not easy being a social worker.