

A regular column prepared by the National Standing Committee on Bicultural Issues, which aims to inform readers about bicultural issues, and explain their implications for the activities of psychologists, and for the practices and policies of the Society.

NSCBI and the Canadian Code of Ethics

[As presented by Ray Naim, NSCBI representative member of the Code of Ethics Review Group, at NZPsS Annual Conference, August 1995]

At the 1992 NZPsS Annual Conference, the Ethical Issues Committee presented a symposium which included mention of a possible review of the Society's Code of Ethics and described the structure of the new Canadian code. The NSCBI looked at the Canadian Code and were struck by the almost complete absence of references to culture and the total failure to acknowledge culture as a significant factor in social relations or psychological practice.

The following are the only references to culture that we could find in the Canadian Code:

I Respect for the Dignity of Persons

Values Statement: ... psychologists acknowledge that all persons have a right to have their innate worth as human beings appreciated ... not enhanced or reduced by such differences as culture, ethnicity, colour, race, religion, gender, marital status, sexual preference, ...

II Responsible Caring

Values Statement: They [psychologists] also engage in self-reflection ... determining how their own values and social context (e.g. culture, ethnicity, colour, religion, gender, sexual preference, ...

IV Responsibility to Society

Notes on (para 2) Values Statement: ...the structures and customs of the communities in which they work ...

These statements represent people as having a common (universal) humanity on which, like suits, frocks or piupiu are hung these differences of culture, ethnicity etc which, it is implied, should not influence us or our service provision. In this respect the code is treating culture rather negatively, as something to guard against. Our perception was, at least partly, confirmed when Jean Pettifor indicated that the C.P.A. now recognises the treatment of culture to be a significant deficiency in the code.

For the NSCBI in 1992 the task appeared to be: how to have the code effectively and appropriately acknowledge the role of culture in the practice of psychology? We had previously applied such an approach to the current NZ Code. But, as we worked on this task, we became concerned that such changes had a distinctly "add-on" character - they did not appear to integrate into the Values Statements and Ethical Standards of the Code. I think we put it down to our inexperience at the task.

After the decision at last year's conference to proceed with a review of the NZ Code and the strong probability that the new code would be based on the Canadian Code we addressed this issue more vigorously. In doing so we drew on experiences some members have had with the international declarations and covenants on Human Rights. To date all these human rights documents have hewn close to their roots in Christian and Enlightenment philosophy. Both parents espoused an a-social understanding of what it is to be human. In the Christian philosophy the individual stands naked before their God. In the Enlightenment philosophy there is the rational, morally

courageous individual who has intrinsic value, quite apart from their status or position in society. This parentage is seen very clearly when the Canadian code discusses Moral Rights and Unjust Discrimination.

MORAL RIGHTS

Fundamental and inalienable human rights ... equal justice and to developmentally appropriate privacy, self-determination and autonomy.

UNJUST DISCRIMINATION

... activities prejudicial to persons because of differences such as culture, ethnicity, colour, race, religion, gender, marital status, sexual preference, physical or mental abilities, age, socio-economic status, and/or any other preference or personal characteristic, condition or status.

We understand both these statements to be working on a notion of units [people] who must be treated in the same ways. These units are essentially individual, defined by their [individual] rights to privacy, and self-determination.

Historically this individualised perspective provided a necessary counter to the social determinism of the caste based societies and religion of the time. Now the balance has swung the other way - our societies and our discipline are locked into such individualised understandings and we need to re-emphasise that, as humans, we are socially located and socially constituted. As a committee we saw the struggle between the social and the individualised understanding of people very clearly in the attempts of the Canadian Code to engen-

der and sustain a collegiality between psychologists. The effort to engender such collegiality shows that they recognised a need for this more social understanding. The way this has been attempted illustrates the problems created by the individualised understanding of persons.

In our view the foundation for our collegiality must be a recognition that the standing and respect for our discipline and practice rests on both collective and individual foundations. The development and critical evaluation of both our knowledge and our practices are collective tasks that are affirmed or undermined by the actions of individual psychologists. This balance is not obvious in the Canadian code. Throughout the document the natural, obvious, or common sense reading of the term psychologist is as "the individual psychologist", thus reducing collegiality to the algebraic sum of the individual actions. Only in **IV Responsibility to Society** is there explicit reference to collective responsibility. As the NSCBI we see this as having too low a priority and regard what is said as inadequate.

IV Responsibility to Society

Values Statement ... social structures and policies which have beneficial purposes are defined as ... more readily support ... respect for the dignity of persons, responsible caring, and integrity in relationships. If psychological knowledge is used against these purposes, psychologists* have an ethical responsibility to comment ... and to try to correct the misuses. Although this is a collective responsibility, those psychologists having direct involvement ...

Psychologists (line 5 *) is ambiguous, it could mean "psychologists collectively" or "psychologists as individuals" the dominance of the latter reading in the earlier sections of the code predisposes readers to understand it in the individualised manner. The sentence that follows does not resolve this ambiguity. The collective responsibility is modulated "Although .." and thereby given a lesser emphasis than that of the psychologists who are directly involved. Again it is unclear whether the psychologists involved are to act individually or collectively. The effect is to obscure the collective responsibilities and to high-

light those of psychologists acting as individuals.

This imbalance is intensified by the section of the Preamble entitled "Responsibility of the Individual Psychologist". There is no corresponding section of "Responsibility to (or of) our Collective or Discipline".

Responsibility of Individual Psychologist

1. To adhere to the ethical code adopted by the association;
2. To promote and be sensitive to discussion of ethical issues and practices among colleagues;
3. To bring concerns about perceived unethical actions directly to psychology colleagues and to attempt to reach an agreement on the issue and, if needed, on the appropriate action to be taken;
4. To cooperate with duly constituted committees of the association which are concerned with ethics and ethical conduct;
5. To bring to the attention of the association ethical issues which require clarification or the development of new guidelines or standards.

Here we have the Enlightenment's heroic, rational, individual who best serves their own ends by cooperating with others. This cooperation is primarily exercised through the association that, rather miraculously maintains itself in the absence of any explicitly acknowledged sense of collective responsibility. Throughout the code there is no explicit support for collegial practices such as regular supervision or collaboration with fellow practitioners, community advocates or cultural advisors. The code is totally silent about the culture of the profession although it provides the core of our professional identities.

The NSCBI has summarised these understandings of the Canadian Code as follows:

- i) The code is predicated on a particular, culturally sanctioned, understanding of the nature of the person but does not acknowledge that it is so based. It privileges this individualised understanding.
- ii) As a consequence the code treats culture, ethnicity, race, religion, gender, marital status, sexual preference etc. as

add-ons to the essential humanity of the person rather than acknowledging the social and cultural relationships within which our humanity and individuality are constituted.

iii) The individualised character of the rights, such as "privacy, self determination, and autonomy" espoused in the code, provides an inadequate foundation for work with peoples who understand persons as being part of or constituted through their membership of a group or groups.

iv) Throughout the Canadian Code the agents are individuals. This individualised understanding legitimates the universality claims made by psychology as a discipline. We see this as undermining the requirement for practitioners to acquire and maintain adequate levels of cultural competence that are necessary for them to "discern the potential harm and benefits of their activities".

v) In New Zealand we all have particular rights and obligations that arise from our membership of a group. Tangata Whenua (Maori) or Tangata Tiriti (Non Maori) under Te Tiriti o Waitangi have rights and obligations that need to be acknowledged within the NZ Code of Ethics. This task will be made more difficult if the code continues to be shaped only by the individualised notion of persons.

Starting from these understandings has shaped our contribution to the review process, a process in which we have become sharply aware of the dominance of the individualised understanding described here. We have been particularly struck by the limited vocabulary available to state in clear, comprehensible and jargon-free ways both what we see is wrong with the present formulations and, more importantly, to express the necessary balance between the understandings of humanity as both individualised and socially created and sustained. It is this balance that we need to find in the new New Zealand code and it is difficult because in our society the individualised understanding is so dominant. As we look at the relations between our code and the relevant legal acts we will have to face this dominance directly. ■