

**Issue 6 Fall 1999**

**On Violating the Ethical Standards**

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Note: The Following list is from Ethics in Psychotherapy and Counseling: A practical Guide (2<sup>nd</sup> edition) by Kenneth S. Pope and Melba J.T. Vasquez (San Francisco: Jossey-Bass Publishers, 1998). It is reprinted here with explicit permission from the publisher, who maintains copyright. Free reprints from other chapters and peer-reviewed articles are available at <http://kspope.com>.

Faced with the complex demands, human costs, constant risks, and often limited resources of our work as psychologists, we may experience the very human temptation to try to make life easier for ourselves by nullifying some of our fundamental ethical responsibilities. Not wanting to view ourselves (or have others view us) as unethical, we use common fallacies and rationalizations to justify our unethical behavior and to quiet a noisy conscience. These attempts to disguise unethical behavior might be termed ethical substandards, although they are in no way ethical and many are so far beneath the standards of the profession that “sub” seems an understatement. The justifications can make even the most hurtful and reprehensible behaviors seem ethical, or at least insignificant. All of us, at one time or another, probably have endorsed at least some of them and could probably extend the list. If some excuses seem absurd and humorous to us, it is likely that we have not yet had to resort to using those particular rationalizations. At some future moment of great stress or exceptional temptation, those funny absurdities may gain considerable plausibility, if not a comforting certitude. Such substandards we commonly use to justify the unjustifiable include the following:

1. It's not unethical as long as you don't talk about ethics. The principle of general denial is at work here. As long as neither you nor your colleagues mention ethical aspects of practice, no course of action could be identified as unethical.
2. It's not unethical as long as you don't know a law, ethical principle, or professional standard that prohibits it. This substandard encompasses two principles: specific ignorance and specific literalization. The principle of specific ignorance states that even if there is, say, a law prohibiting an action, what you do is not illegal as long as you are unaware of the law. The principle of literalization states that if you cannot find specific mention of a particular incident anywhere in legal, ethical or professional standards, it must be ethical. In desperate times, when the specific incident is unfortunately mentioned in the standards and you are aware of it, it is still perfectly ethical as long as the standard does not mention your theoretical orientation. Thus if the formal standards prohibits sexual involvement with patients, violations of confidentiality, or diagnosing without actually meeting with the client, a behavioral, humanistic, or psychodynamic therapist may legitimately engage in these activities as long as

the standard does not explicitly mention behavioral, humanistic, or psychodynamic therapy.

3. It's not unethical as long as you can name at least five other clinicians right off the top of your head that do the same thing. (There are probably countless thousands more who you don't know about or who you could name if you just had the time.)
4. It's not unethical as long as none of your clients has ever complained about it.
5. It's not unethical as long as your client wanted you to do it.
6. It's not unethical as long as your clients' condition (probably borderline) made them so difficult to treat and so troublesome and risky to be around that they elicited whatever it was you did (not, of course, to admit that you actually did anything.)
7. It's not unethical as long as you weren't really feeling well that day and thus couldn't be expected to perform up to your usual level of quality.
8. It's not unethical as long as a friend of yours knew someone that said that an ethics committee somewhere once issued an opinion that it's okay.
9. It's not unethical as long as you're sure that legal, ethical, and professional standards were made up by people who don't understand the hard realities of psychological practice.
10. It's not unethical as long as you're sure that the people involved in enforcing standards (e.g., licensing boards, administrative law judges) are dishonest, stupid, extremist, are unlike you in some significant way, or are conspiring against you.
11. It's not unethical as long as it results in a higher income or more prestige.
12. It's not unethical as long as it's more convenient than doing things another way.
13. It's not unethical as long as no one else finds out—or if whoever might find out probably wouldn't care anyway.
14. It's not unethical as long as you're observing most of the other ethical standards. This means that everyone can, by fiat, nullify one or two ethical principles as long as the other more important standards are observed. In a pinch, it's okay to observe a majority of the standards. In a real emergency, it's acceptable simply to have observed one of the ethical principles in some situation at some time in your life, or to have thought about observing it.

15. It's not unethical as long as there's no intent to do harm.
16. It's not unethical as long as there is no body of universally accepted, scientific studies showing, without any doubt whatsoever, that exactly what you did was the sole cause of harm to the client. This view was vividly and succinctly stated by a member of the Texas pesticide regulatory board charged with protecting Texas citizens against undue risks from pesticides. In discussing Chlordane, a chemical used to kill termites, one member said, "Sure, it's going to kill a lot of people, but they may be dying of something else anyway." ("Perspectives," 1990, p. 17)
17. It's not unethical as long as you don't intend to do it more than once.
18. It's not unethical as long as no one can prove you did it.
19. It's not unethical as long as you're an important person. The criteria for importance in this context generally include being rich, well-known, extensively published, or tenured, having a large practice, having what you think of as a "following" of like-minded people, possessing substantial malpractice liability coverage, or knowing personally someone who, in retrospect, thought APA's purchase of *Psychology Today* was a good idea. Actually, if you just think you're important, you'll have no problem finding proof.
20. It's not unethical as long as you're busy. After all, given your workload and responsibilities, who could reasonably expect you to obtain informed consent from all your clients, keep your chart notes in a secured area, be thorough when conducting assessments, or follow every little law?

*This article originally appeared in the May 1999 issue of BOP Update, a publication of the California Department of Consumer Affairs Board of Psychology. It is reprinted here with the permission of the authors.*