

A REVIEW OF *ETHICS FOR BEHAVIOR ANALYSTS* BY JON S. BAILEY AND MARY R. BURCH

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All reform except a moral one will prove unavailing. (Thomas Carlyle)

If the reader chooses to delve into the arcane lore of the sociology of the professions, one will learn that there are a number of attributes which a discipline must demonstrate before it is usually designated as a true profession. Among these are having a recognized body of knowledge, a recognized course or program of advanced study, a formal code of ethics, and some form of societal sanction, usually in the form of legal regulation such as certification or licensure. The discipline of behavior analysis has made great strides in acquiring these accouterments of professional status during the forty or so years since its formal establishment during the mid-1960s. Initially offered through academic psychology and education programs, undergraduate and graduate degrees in behavior analysis are now emerging as independent programs in their own right. A formal accrediting program for degree-granting programs in behavior analysis was established by the *Association for Behavior Analysis* (see www.abainternational.org) and a professional certification board for behavior analysts has been established (see www.bacb.com). A number of states now certify or otherwise legally regulate the practice of behavior analysis, and a formal code of ethics was developed for the field has been developed.

Bailey and Burch's *Ethics for Behavior Analysts* is another constructive step in the professional maturation of the field. Both authors are highly experienced practitioners and authors, and Jon Bailey alone has left an indelible imprint through his training several generations of graduate students, voluminous high quality publications, service in offices of various behavior analytic organizations, and as a role model *par excellence*.

Many codes of ethics are long on minatory statements, as in *Thou shalt not* _____. *Ethics for Behavior Analysts* is far more balanced, and if anything favors hortatory guidelines, as in *Thou shall* _____. This is perhaps understandable, given our field's preference for reinforcement over punishment, with the latter failing to provide guidance about what *to do*. Both of course are necessary, but the hortatory aspects of behavior analytic ethical guidelines provide such strong meat and drink that other human service professionals may find them indigestible. What, for example, is the typical counselor, social worker or marriage and family therapist to make of such stringent standards as:

"The behavior analyst always has the responsibility to recommend scientifically supported most effective treatment procedures" (pp. 65-66),

“Clients have a right to effective treatment (i.e. based on the research literature and adapted to the individual client)” (p. 66),

“We also have an obligation to avoid making false claims about our effectiveness and to ensure that any public statements are factual” (p. 192),

“Technically speaking, it is unethical to start an intervention without baseline data. And it is unethical to continue a treatment without taking more data to see if it was effective” (p. 212),

“You carry a burden to not only be data-based in your decision-making but to assure the client, client surrogates, and your peers that you have quality data (again, not self-report, not anecdotal, not questionnaire)” (p. 213).

Whew! This is powerful language indeed, hortatory ethical guidelines which threaten to shake asunder the entire foundations of most of the other human service professions, those which value an office-based consulting model, with some form of talking as the primary independent variable, and various surrogates for actual human behavior being the primary dependent variables. And we sometimes wonder why behavior analysis has not made greater inroads into these other disciplines? Simply put, the very foundational assertions which distinguish behavior analysis from other fields are not simply alternative perspectives among a post-modern melange of egalitarian approaches to assessment and intervention, but are rather such a compellingly valid alternative so as to put most rival conceptual frameworks to shame.

Long before the currently fashionable perspective known as *evidence-based practice* was articulated, behavior analysts had been advocating its central tenets for decades, namely, provide as first-choice treatment options those interventions which possessed the greatest degree of scientific support; conduct individually tailored assessments of the client’s unique circumstances, personal and environmental, to see if these empirically-supported interventions are appropriate and acceptable to the client or other responsible party; only practice within one’s own level of clinical competence; and scientifically evaluate the outcomes of your work with individual clients using single-subject experimental research designs. It is indeed a good thing that evidence-based practice has recast and more effectively marketed these traditional features of behavior analysis to the broader community of the human service professions, but we should not lose sight of their behaviorist precursors.

Although the Code of Ethics for Behavior Analysts has been around for some time, where the present volume makes its strongest contribution is in its formulation of over 100 case descriptions of practice situations requiring the application of the pristine statements found in the Code of Ethics into real life contexts. These case descriptions cover the spectrum of behavior analytic practice, and the exegesis accompanying these illustrations is elegant, sparse (in the laudable parsimonious sense), and understandable.

There is no discussion of lofty theoretical principles pertaining to ethical decision-making, and in my view this is a virtue.

This review begins with a quotation from the English poet Thomas Carlyle, who asserted over 200 years ago that the only effective reforms are those which invoked ethical principles. We behavior analysts have long sought effective levers to exert influence within the broad range of the human services, not for the purpose of making them more behavior analytic, but in support of the goal of making them more effective and genuinely helpful to the clients we serve. The articulation of scientifically-oriented ethical standards for practice is one such lever. Imagine the reforms which would occur across the human services if the professional codes of ethics of the *American Psychological Association*, the *National Association of Social Workers*, the *American Association of Marriage and Family Therapists*, and the *American Psychiatric Association* contained hortatory guidelines similar to those advocated by behavior analysts. Were it simply deemed unethical for providers to offer interventions known not to be helpful (e.g., *facilitated communication*, *neurolinguistic programming*, *sensory integration therapy*, *rebirthing therapy*, etc.), these fields would advance considerably in terms of their providing legitimate services through adopting such a minatory standard. Where this accompanied by a parallel hortatory one, as in one's obligation to provide scientifically-validated interventions, where these are known to exist, the potential to enhance the quality of care across a range of disciplines would be even more profound. It might be a worthwhile approach for behavior analysts who are credentialed in other disciplines (e.g., a licensed psychologist or social worker) to encourage the adoption of ethical standards similar to those established for behavior analysis, within the context of their own discipline's next revision of their Code of Ethics. Such actions would of course be consistent with behaviorist ethics, as in:

“The behavior analyst promotes the general welfare of society through the application of the principles of behavior” (Standard 10.0, p. 192), and

“The behavior analyst should promote the application of behavior principles in society by presenting a behavioral alternative to other procedures or methods” (Standards 10.01, p. 192)

I have one question which remains unanswered from reading this and related books addressing the ethics of practice. And that is “What obligation exists, if any, for a practitioner to obtain permission from a client to publish articles based on one's own *practice*? Obviously the student or faculty member operating under university auspices must comply with relevant policies pertaining to protecting human subjects, and where personally identifiable information is obtained, or the intent is to produce “generalizable knowledge” (which is interpreted by many Institutional Review Boards, or IRBs, as the intent to publish or otherwise disseminate via conferences, websites, etc.), IRB review and approval is mandatory prior to collecting data. And a practitioner clearly needs client or guardian consent to embark upon a formal treatment program. But does a practitioner need client consent to publish the results of one's work with that client? A conservative

perspective would simply be “Why yes, of course.” but the ethical guidelines for behavior analysts and other disciplines are unclear on this point. Assume of course that personally identifiable information about clients is *not* reported in any such journal articles or conference presentations. And also assume that the resultant work emerged from the legitimate *practice* of one’s discipline (e.g., behavior analysis, psychiatry, social work, couples therapy, etc.), and *not* under any formal research effort. Does the psychiatrist who notices an unusual side effect in administering a new drug need the patients’ permissions to report these new and potentially-life threatening side effects in a professional journal? Does the behavior analyst applying an intervention established as effective among one type of client or problem, within the context of serving another type of client or alleviating another problem, need the clients’ consent to write up and publish a journal article? Such activities are not often construed as formal research, they are simply good practice. Such is certainly the case in the practice of behavior analysis. Were the answer “yes,” some advances in scientific knowledge may be delayed or simply fail to emerge. In our rush to avoid harming clients through the establishment of Codes of Ethics, and IRB oversight of research, we need to address the potential rights of *practitioners* to publish or otherwise disseminate the results of their practice, again stipulating that safeguards are in place to protect the client’s identity. This issue seems to me to have been neglected, perhaps because of its controversial aspects.

I have one additional caveat about this book—Readers may wish to purchase a hardbound copy of this volume, as I found that my paperback version did not stand up well to several gentle readings.

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