

## A POSTMODERN CRITIQUE OF THE SACSSP'S DRAFT CODE OF ETHICS

D Hölscher

### INTRODUCTION

In the course of the past few years, social work academics have begun increasingly to explore the relevance of postmodernism for social work in South Africa, thus beginning to reconsider fundamentally some of its constituting components, including its moral, ethical and values base (Sevenhuijsen, 2003; Sewpaul & Hölscher, 2004; Williams & Sewpaul, 2004). With regard to the latter, it appears that at least since Abraham Flexner's now famous 1915 assertions regarding the professional standing of social work, the profession has been at great pain to make its moral, ethical and value base, and thus its role and function in relation to broader society, explicit. Flexner, in his paper entitled "Is Social Work a Profession?" presented at the 1915 National Conference of Charities and Corrections, defined the professions as those occupations that "...engage in intellectual operations involving *individual responsibility*, derive their material from science and learning, work this material up to a practical end, and apply it using techniques that are educationally communicable, are self-organised, and are *motivated by altruism*" (Popple, 1985:561, author's emphasis) and found that social work at the time did not qualify as a profession.

Consequently, Loewenberg and Dulgoff (1982:14) contend that "...every profession which strives to achieve professional status is expected to develop a code of professional ethics". Such a code serves to translate "...professional values into behavioural expectations" (Loewenberg & Dulgoff, 1982:14), which is done by "...guiding decision making, assessing competence, regulating behaviour, and providing a standard by which to evaluate the profession" (DuBois & Miley, 1999:131). Thus, when seeking to explore the state of current thinking on ethics and morality in South African social work from a postmodern perspective, an engagement with the latest ethical document seems to be an appropriate starting point.

In March 2004 the South African Council for Social Service Professions sent out a draft document for comment, which details a proposed code of ethics for all professions registered with the council (SACSSP, 2004). This is an important development, given that the document's predecessor, the Social Services Professions Act (Department of Health and Population Development, 1978) dates back to 1978, the heydays of apartheid and South Africa's isolation from global economic and political trends and developments. One might therefore expect that the new code would embrace, and respond to, the demands, requirements and challenges posed to the SACSSP's members by a fundamentally changed welfare context. From this flows the central question which the research presented below has sought to explore, that is: does the document succeed in doing this, and if so, to what extent?

In pursuing this question, this article will begin by exploring the relevance of postmodernism for a debate on ethics and morality in South African welfare. Thereafter, culture, race and class are presented as important dividing lines and sources of contradiction and tension in South African society. This theoretical base will be used to inform a discussion of selected aspects of the draft code of ethics, which will be followed by a review of current debates on the role and function of ethical codes and standard setting in social work under postmodern conditions. In conclusion, a call is made on South African social workers to engage with their client systems and their professional council with a view to developing a discursive and non-essentialist Code of Ethics for welfare professionals.

## ETHICS AND MORALITY FRAMED WITHIN A POSTMODERN PERSPECTIVE

Over the past decades many suggestions have been made as to what constitutes postmodernism, whether we have entered a postmodern age or not, and if we have, what might be considered its starting point(s). In their review of the concept Williams and Sewpaul (2004:555) found that it "...appears in a wide variety of disciplines, and it is hard to locate both temporarily and historically". Several theorists have addressed the problematic of morality and ethics in postmodernity, among them the sociologist Zygmunt Bauman (compare, for example, Bauman, 1993, 1995; Benhabib, 1992; Foucault, 2000; Nussbaum, 2001; Young, 1990). It is because of Bauman's personal fascination with, and his particular conceptualisation of, postmodernism – specifically in his publication, *Postmodern Ethics* – that it will be used as a basis for the following argument.

Bauman (1993:3) asserts that the postmodern condition is not to be understood in chronological terms but in the sense that modern people have reached a stage of "...self-denigration and self-dismantling...", with modern thought being criticised as having "...wrapped the mechanisms of self reproduction with a veil of illusion without which those mechanisms, being what they were, could not [function]". Thus, it is hoped that in such a period of self reflection, "...the sources of moral power which in modern ethical philosophy and political practice were hidden from sight, may be visible, while the reasons for their past invisibility can be better understood, and that as a result, the chances of a moralisation of social life may ... be enhanced" (Bauman, 1993:3).

This process of self reflection and scrutiny, according to Bauman (1993:4) represents a "...novel way of [dealing] with the great issues of ethics and the moral problems of late modernity". Such issues and problems include, for example, "...human rights, social justice, balance between peaceful co-operation and personal self-assertion, [and] synchronisation of individual conduct and collective welfare" (Bauman, 1993:4). In addition, poverty may be regarded as one of the gravest and most pervasive forms of humiliation afflicting contemporary societies, a ground on which all other forms of human indignity flourish (Bauman & Tester, 2001). Social justice, human rights and poverty are explicitly referred to in the preamble and guiding principles of the South African Draft Code of Ethics for Social Service Professions (SACSSP, 2004), in keeping with the central place these concerns occupy in defining social work as a profession (IFSW, 2004). Finally, the synchronisation of individual conduct and collective welfare constitutes, as has been noted above, one of the core purposes of any professional code of ethics.

However, Bauman's (1993) contention regarding the illusionary quality of some of modernity's mechanisms to enhance the morality of social life implies that the profession of social work needs to interrogate the suitability of the draft code of ethics as a tool for, *inter alia*, promoting human rights and social justice, for alleviating poverty, and for enhancing the morality of welfare practitioners' conduct. Yet Bauman and Tester (2001:137) warn of the inherent difficulties any process of self-reflection and self-scrutiny is imbued with because "...even the wisest among us can hardly step beyond the world which has formed us, while being formed by our thoughts and deeds." It is therefore important to realise that deliberating, refining and seeking to attain moral goals cannot be but an inherently and indefinitely incomplete process of dialogue, action and reflection. Such a process is likely to, and should, take place in relation to agreed-upon values and principles, such as human rights and social justice. At the same time, by its very nature it is a process which is always relational and situated in specific contexts (Sevenhuijsen, 2003). As such, an ethical code cannot be considered an end in itself (Hölscher & Raniga, 2005).

## ETHICS AND MORALITY UNDER CONDITIONS OF MODERNITY: THE FEAR OF FREEDOM TO DECIDE ON RIGHT AND WRONG

Lipovetsky (cited in Bauman, 1993:2) describes the general context of late modernity as one which is signified, amongst other things, by the increasing 'liberalisation' of individuals from such ideas as self-sacrifice, accountability to morals, ideals and values, and dictates from political utopias. It is claimed that religious and secular institutions and traditions seem increasingly to be losing their ability to ensure the moral conduct of individuals. If such observations are indeed correct, then this has serious implications for a profession which draws its 'lifeblood' from its values and ethics (Reamer, 1998:497). Reamer (1998:496) therefore stresses that "...social workers must be alert to emerging ethical issues as the profession enters its second century. In particular, social workers should be prepared to challenge attempts to undermine the profession's traditional values, especially social work's enduring commitment to vulnerable and oppressed people".

Such assertions, of course, give rise to several questions. Firstly, how is the profession of social work to arrive at a shared understanding of the nature of contemporary challenges and of the appropriateness of possible responses? The importance of notions such as dialogue, action and reflection has already been highlighted. But over and above that, if the authority of secular institutions, ideals and jointly held values has generally been eroded, then this would apply to the social work profession, its traditional value base and the SACSSP as its statutory and main organising body in South Africa as well (Drower, 1991). So even in as far as a shared understanding were attainable by South African social workers, what responsibilities would arise for individual social workers as opposed to the profession as a collective? What would be the implications for the relationship between these individual social workers and the South African Council of Social Service Professions? In order to find answers to such questions, it is important – apart from investigating these issues empirically (Hölscher & Raniga, 2005) – to seek to understand the theoretical basis for the above claims and to explore their relevance for the South African context.

Bauman (1993) identifies the ability to *distinguish*, and the resultant desire to *know* right from wrong as a defining characteristic of the modern age. This sets modernity apart from pre-modern times where a rather broad and blurred sense of 'the right way of living' had been based on a holistic feeling of belonging and a total exposure to the surveillance and control from extended family systems, traditional communities and religious institutions. Their hold, however, loosened with the 'liberation' of individuals into 'free', 'autonomous', 'rational' beings (Howe, 1994) and in the wake of this, the growing plurality of lifestyles, the secularisation of societies – all defining features of modernity. In other words, as societies differentiated, individual responsibility for doing right over wrong grew, while pre-modern means of ensuring that right rather than wrong was done waned and conceptions determining exactly what constituted right and wrong multiplied.

Yet, while the predicaments of modern people are dramatically different from those of pre-modern men and women, one notion has survived this tidal change in the way societies are organised, and has continued to dominate modern ethical thought, that is, the seeming necessity to control. Previously, "...free will, if it existed at all, could mean only ... freedom to choose wrong over right ... and anything that visibly deflected from custom was seen as such a breach. Being in the right, on the other hand, was not a matter of choice: it meant, on the contrary, avoiding choice" (Bauman, 1993:4). Now that freedom has become one of the main ideological foundations on which modern societies rest, individuals need "...to be prevented from using their freedom to do wrong" (Bauman, 1993:5). In other words, individual freedom is suspect and individual action unpredictable, thus individual judgement in need of being circumscribed and individual behaviour in need of being controlled.

These fundamentally contradictory implications of the notion of freedom – that is, constituting one of modernity's ideological foundations while at the same time being perceived as one of its greatest threats - has resulted in the evolution of a twofold mechanism of social control. There is on the one hand the socialisation process which is directed *inter alia* at developing the ability of individuals to exercise their 'better judgement' thereby *ensuring that they want to do right*. On the other hand, there is the systematic exposure of these very individuals to "rationally designed external pressures which would assure that wrong doesn't pay" (Bauman, 1993:7), thus *discouraging them from wanting to do wrong*.

Yet far from resolving the said contradiction, Bauman (1993) claims that these mechanisms of social control tend to set in motion a vicious cycle involving both the level of conceptualisation and that of action and interaction, resulting in evermore anarchic tendencies to rebel against rules experienced as oppression, on the one hand, and increasingly totalitarian visions of order and control, on the other. It stands to reason that South African society – due to its peculiar combination of colonial past, apartheid history, dramatic levels of social injustice and all the social ills that follow – is in fact predisposed to seeking solutions at the totalitarian end of the ethical continuum. This is what Bauman (1993) has termed an 'aporesis' – a contradiction that cannot be overcome and which therefore results in conflict that cannot be resolved, coupled with an inability to admit that such contradiction indeed exists – a condition symptomatic of modernity.

### **ETHICS AND MORALITY UNDER CONDITIONS OF MODERNITY: THE COMPLEXITIES OF THE SOUTH AFRICAN WELFARE CONTEXT**

The framing of modernity as a condition characterised, *inter alia*, by an increasing multiplicity of conceptions of right and wrong, as proposed by Bauman (1993,) has particular salience in the South African context. Here, a great degree of cultural diversity has existed for centuries. Gray and Allegritti (2003:313) point out the complexity of the notion of culture, which is 'articulated at several levels', such as language, rituals, customs and traditions, art, music literature, morals, rules, norms and societal institutions. In a postmodern conceptualisation, culture is "...continually changing and evolving..." (Dean, 2001:625), "...internally varied..." (Parekh, cited in Gray & Allegritti, 2003:314) and "...constituted through contested practices" (Benhabib, cited in Gray & Allegritti, 2003:314 ). Lastly, culture constantly refers to, and is referred to by, neighbouring concepts such as nationality, politics, identity (Gray & Allegritti, 2003) and race.

The South African Constitution (1996, Section 6) affords eleven languages official status and commits the government to promoting and supporting the development and use of three further languages. This is apart from dozens of other languages spoken by ethnic minorities, including South African citizens, refugee and other immigrant communities. If language is regarded as signifying but one aspect of culture, the multiplicity of, for example, customs and traditions, morals, rules and norms existing next to, impacting and potentially contradicting one another, becomes truly incredible.

As far as the cross-referencing with neighbouring concepts is concerned, it is important to recognise that in South Africa cultural differences have been artificially preserved through colonial and post-colonial forms of oppression, and as a result, coincide to date with racial categorisations and lines of economic exploitation. Race is a highly contested phenomenon. As a biological fact, it has been entirely discredited. However, as a social construct, it remains an important determining factor, *inter alia*, for a person's identities, social relationships and positions in society (Alcoff, 2002; Appiah, 2001; Seepe, 2004; Steyn, 2001). Thus, Petersen (cited in Smith, 2004) found in her study of black racial identity "...that race is still a salient factor in contemporary South African society, and that it has fundamental implications for how people self-

identify". The South African Human Rights Commission maintains that "...in spite of unprecedented social and political transformation towards a post-apartheid society, racism as an ideology remains largely entrenched within the social fabric". Terreblanche (2002:39-40) finally claims that "...the stubborn resistance of whites – and especially influential white business people – to higher taxes that could have enabled the government to spend more on restitution and poverty alleviation implies that racist patterns and attitudes are still an important part of the 'entrapping mechanisms' responsible for perpetuating the pauperisation of a large part of the black population".

The situation has been further complicated by the effects of neoliberalism as an ideology and economic policy, formally embraced by the South African government with the adoption of its 1997 GEAR policy (Bond, 2000; Sewpaul & Hölscher, 2004). In brief, neoliberalism signifies a global ideological, economic and political phenomenon which has been unfolding during the past 30 years. It refers to the dramatic shift in "...societal power balances ... in favour of corporate capital, which began exerting pressure on governments to implement policies that seemed in favour of their capital accumulation strategies" (Sewpaul & Hölscher, 2004:3). Accordingly, Terreblanche (2002:133-134) observes that,

*"The rapid development of [a] black [economic] elite testifies to its successful co-option by the corporate sector. In its quest to institutionalise a neo-liberal and globally oriented economic approach in the 'new South Africa', the corporate sector was not only prepared to condone the lucrative remuneration of black politicians and bureaucrats, but also to offer the emerging black elite even more lucrative deals in the private sector. In turn, the downward movement of [a] large black underclass testifies to the harm done to the South African economy during the liberation struggle, and the inability of the new government to transform it."*

In other words, it is claimed that, overlapping its racial divisions, South African society has since the coming of democracy in 1994 experienced the solidification of its class-based divisions. A multi-racial bourgeois elite is found at the one end of this continuum (16.6 per cent of the population, of which 50% are white, and which receives 72.2% of the total income), and an almost entirely black lower class of working and unemployed poor on the other (67% of the total population, of which 2% are white, sharing amongst them as little as 10.6% of total income) (Terreblanche 2002:33). In this context economic risks have been individualised, while collectivist conceptions of social welfare and notions of solidarity are increasingly giving way to residual approaches – intermittent government commitments to a developmental welfare paradigm notwithstanding (Raniga, 2005; Sewpaul, 2005; Sewpaul & Hölscher, 2004; Terreblanche, 2002).

A detailed exploration of the lines of division, conflict and mutual impact separating yet linking the different cultural, ethnic and economic interest groups that make up South African society would certainly exceed the scope of this article. But clearly, the problems welfare practitioners face in the South African context are of a systemic nature. This must affect the prospects of realising ideals such as social justice, human rights, empowerment of disadvantaged people and cultural sensitivity in South African welfare practice. Thus, any attempt at condensing the multiplicity of ethical concerns arising out of this complex into a single code of ethics – in the hope that the morality of individual action and behaviour be enhanced as a result – is likely to be a self-defeating undertaking. And yet in the draft Code the SACSSP has set itself the ambitious task of articulating the South African social service professions.

*“Values, principles and standards [guiding their] conduct ... regardless of their professional functions, their settings in which they work, or the communities they serve.”*  
(SACSSP, 2004:5)

It is therefore unsurprising as much as it is worrying that the draft Code of Ethics, over and above expressing a general commitment to notions such as social justice, poverty alleviation and human rights, fails – in fact cannot but fail – to translate these values and principles into behavioural guidelines.

As a result, the task of giving meaning to these broad values and principles in concrete situations is ultimately left to the individual practitioner’s discretion. That in itself, of course, is not necessarily a problem. As will be argued below, it is indeed paramount that individual welfare practitioners are encouraged to take such moral responsibility. But it is a problem that neither the systemic nature, nor the complexity of the challenges discussed above or the inevitability of the ethical dilemmas arising out of this is acknowledged in the draft Code of Ethics. The debate around the dual mandate of social work is based on such an analysis of the inherent contradictions between different societal interest groups (compare, for example, Parton 1996). In other words, as far as some of the central ethical concerns of modernity are concerned, the draft code is unable to meet one of the central purposes it has set for itself. Yet there is a seeming unawareness in this regard - an aporesis.

In view of this manifest contradiction, it is important to note that Bauman’s (1993) observation of modern mechanisms of social control holds true for South African social work as well. Drower (1996:145), in her exploration of the relationship between social work values and professional unity in South Africa, writes that “...the emphasis placed on the development of self-awareness during social work training and later in practice through the supervisory process implies the recognition of the effect of the personal on the professional.” It implies at the same time a recognition of the effect of the professional on the personal, and therefore, the importance of the professional socialisation process for practitioners’ ability to make ethical and moral choices. And in cases where this may prove insufficient in ensuring that welfare practitioners choose right over wrong, the draft Code of Ethics provides the threat of sanction to ensure that they do not choose wrong over right:

*“Registration with [the SACSSP] commits members to adhere to the code of ethics ... Social service professionals who do not abide with the principles, values, standards and guidelines as set out in this document may be subjected to inquiries in terms of the regulations regarding unprofessional conduct ... The actions that the SACSSP may take for violations of the code of ethics include actions such as reprimand and/or warning, a fine, remedial action or supervision, and ... cancellation of professional practice registrations.”* (SACSSP, 2004:5)

It may be easy to enforce relatively clear, straightforward and uncontroversial ethical prescriptions in this manner. However, some of the most haunting moral dilemmas experienced by South African social workers seem to arise precisely from the attempt to uphold general ethical principles in a culturally complex and structurally unjust welfare context (Hölscher & Raniga, 2005). For the reasons discussed above, it appears that trying to respond to such situations with the imposition of ‘enforceable rules of conduct’ (SACSSP, 2004:4) is not only unrealistic but also counterproductive.

## The role of the draft code of ethics in the face of moral uncertainty: The illusory power of foundation and universality

If modern societies are characterised both by inherent contradictions and an inability to admit them, then it is almost inevitable that these would be redefined as "...conflicts amenable to, and awaiting resolution" (Bauman, 1993:8). And such solutions, Bauman claims, were to be brought about by the development of the concepts of universality and foundation. Both concepts consist of a legislative as well as a philosophical component. The South African draft Code of Ethics (SACSSP, 2004:5) evidently claims *legislative universality* within the area of jurisdiction of the South African Council of Social Service Professionals (which is a statutory duty of all welfare professionals practising in South Africa) in its stipulation that:

- Registration with the Council commits members to adhere to the code of ethics. This code applies to the practitioners' work-related activities.

And it lays claim to *legislative foundation* in asserting its coercive power within these boundaries. This is evidenced in the declaration already cited above that the draft code's

- Ethical standards set forth specific *enforceable* rules of conduct for social service professionals (2004:4, author's emphasis).

The first sentence of the draft code's preamble outlines that the

- Primary mission of social service professions is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, disadvantaged and impoverished (2004:3).

In other words, reference is made to the *philosophical foundations* of a group of professions which are older and vaster, and which therefore exists beyond the wills and whims of its individual members. And based on these foundations, the code lays claim to *philosophical universality* in several provisions, such as "...social service professionals promote social justice and social change with and on behalf of clients..." (p.3); they "...are sensitive to cultural and ethnic diversity..." (p.4); and they "...respect the dignity of the individuals, families, groups and communities and strive towards rendering of quality services and the maintenance and promotion of their fundamental human rights..." (p.6).

Thus, behavioural and attitudinal options are represented as facts, and such representations draw their justification from the assumption that by the mere fact of *being* social service professionals, Council's members *cannot but* believe in the truth-value of these assertions.

Now the purpose of this discussion is not to question the appropriateness of the philosophical foundations of social service professions *per se*. In fact, it has already been emphasised in the previous sections that the concerns listed in the Code's preamble remain central to contemporary societies, and it has been insinuated that – because of the tendency of modern societies towards increasing complexity and their remarkable ability to camouflage the systemic nature of exploitation, poverty and oppression – the prospects of realising emancipatory ideals remain, if anything, precarious in South Africa and beyond.

Purpose of the deliberations at this point is therefore simply to point to the presumably unintended side effects of the coercive manner in which the universality of the said principles is asserted in the draft Code of Ethics. As noted above, Bauman (1993) contends that one possible effect of coercion is rebellion. But over and above rebelling against restriction and perceived oppression, there is the potential choice of surrendering freedom and of delegating responsibility for one's action to an

authority above. In other words, one problem with the way the current draft code of ethics is conceptualised is that it may lead to abidance by *ethical* rules at the expense of *moral* action.

The basis for this distinction between ethics and morality has been laid by Levinas (cited in Bauman, 1993), in whose conception moral behaviour is that, and only that, which emerges from the *face-to-face* encounter with the *Other*. In this most fundamental kind of encounter – which bears striking similarities with the social work concepts of respect, empathy and genuineness of the helping relationship – *I* perceive the *Other* plainly as a human being. In this perception of mine, the *Other* holds no entitlement to my being moral towards him or her, regardless of his/her position, role or function in society. *I* have *no interest* in the positive rewards, and do not care about the negative repercussions, *I* might expect as a result of my decision on whether to act morally or not.

From this it follows that moral action is only that which is uncalculated and unconditional. My acting morally towards the *Other* is personal and voluntary in that my sense of responsibility exists irrespective of any rules which may have been established to guide or legislate such relationships. At the same time, it is a response to a demand which *I* perceive naturally, so long as *I* genuinely engage in a face-to-face encounter; so long as *I* genuinely engage in an empathetic relationship with the *Other*. This demand, however real, "...is abominably vague, unlike the kind of clear-cut prescriptions found in ethical codes. It forces the moral self to be her own interpreter ... forever unsure of the correctness of interpretation" (Bauman, 1993:80).

In other words, as a moral self, *I* can never be sure to have done enough, to have done as much as *I* should have, and therefore, to have been sufficiently moral. Unsurprisingly then – since one of the distinguishing features of modernity is its deep-seated mistrust of the human freedom to make choices and a concomitant disbelief in the human ability to make moral choices – modern people have never quite been able to conceive that the well-being of their societies could possibly depend on such a deeply personal and intrinsically ambiguous notion of morality. Reliance on codified ethics seemed so much more reasonable and predictable, indeed thinkable.

Yet according to Levinas's conception of morality, surrendering one's action to the dictates of an ethical code means moving it out of the realm of morality, for social norms "...give comparatively precise directives about what we shall do and what we shall refrain from doing. We are normally able to conform to these directives without ever having to consider the other person, much less take care of his [*sic*] life" (Løgstrup cited in Bauman, 1993:79). In other words, while a moral duty is never done, an ethical duty invites the actor to do no more than her/his duty. While it is possible to behave ethically simply by following ethical rules, moral behaviour only survives in the absence of rules. Having abided by an ethical code is having done one's duty, but moral action by definition is only that which moves beyond doing one's duty.

*"One may legislate universal rule-dictated duties, but moral responsibility exists solely in interpellating the individual and being carried out individually. Duties tend to make humans alike; responsibility is what makes them into individuals ... One may say that the moral is what resists codification, formalisation, socialisation, universalisation. The moral is what remains when the job of ethics ... has been done."* (Bauman, 1993:54)

Taking Bauman's (1993) deliberations on morality seriously in a debate on a South African Code of Ethics for Social Service Professions will lead to a rather radical conclusion. Far from assuring us that the draft code is an appropriate means for bringing about moral practice where it has previously been lacking, it is not even insinuated that the document, if improved or complemented, might at least be turned into a reasonably sufficient tool to this end. It is implied instead that the document – because it is an ethical code which is based on seemingly unquestionable legislative

and philosophical foundations, which clearly claims legislative and philosophical universality, which admits no ambiguities and glosses over uncertainties at the same time as it threatens punitive action against those who violate its many rules and prescriptions – must fail to speak to the moral uncertainty and ethical dilemmas practitioners cannot but experience in their daily work and cannot but discourage moral practice.

### **Trying to resolve the un-resolvable: Postmodern discourses on ethics, morality and standard setting in social work**

A number of scholars in the field of social work have engaged with the implications of postmodern thought on standard-setting in general and the setting of ethical standards in particular. Husband (1995) in considering Bauman's (1993) notion of morality in the context of contemporary welfare practice, asserts,

*“The moral impulse ... as the prime determinant of social work intervention would recognise needs which cannot be politically admitted and would prescribe intervention which cannot be cost limited. It would challenge the arbitrary delimitations of need definition and the equally arbitrary institutional allocation of care provision ... Social workers would be conduits for the expression of need rather than vehicles for its management and containment. Practising as autonomous moral agents they would be politically dangerous; and professionally anarchic.”* (Husband, 1995:88).

While not at all insinuating social workers should refrain from challenging inhumane and unjust social structures and practices, Husband (1995:89) does caution, however, that due to their public nature and complexity, modern welfare systems would indeed become unsustainable if welfare practice were not held together by some kind of ethical convention. In addition, given the current neoliberal economic and ideological context of welfare, social workers would more often than not be unable to act on their personal sense of morality. This, in turn, would be “...potentially unbearable and likely to result in burn-out”. As a result, he claims, practitioners might well perceive a professional code of ethics as a source of emotional protection and relief from guilt, as well as of much longed-for structure and support.

Therefore Husband (1995) does not wholly reject the idea of professional ethical codes. He does, however, qualify his stance in two ways. Firstly, he asserts that a code of ethics the authority of which rests *purely* in its promulgation by a statutory body vested with disciplinary powers has no moral substance. But “...to the extent that [the same code is] legitimated by an appeal to shared norms of moral action, [it has] at least an ethical reference” (1995:87). Secondly, he develops the concept of the ‘morally active practitioner’, that is, a social worker who “...would recognise the implementation of professional ethical guidelines as desirable [though] permanently irreducible to routine ... Morally engaged practitioners ... would retain their responsibility for their professional practice and its implications” (Husband, 1995:87).

However, it needs to be noted that, even if not rejecting codified ethics on the whole, the notion of the ‘morally active practitioner’ does in itself challenge existing societal structures and unequal power relations. Seeking to infuse it into a document containing codified ethical prescriptions might therefore evoke resistance from those in charge of controlling and regulating the activities of welfare practitioners.

Hugman (2003) develops Husband's (1995) thoughts further and engages more specifically with the question of what might be the nature of a code of ethics that would withstand the various tensions emerging from modernity's inherent contradictions. He draws, *inter alia*, on the example

of the New Zealand Association of Social Workers, whose code of ethics attempts “to create a framework for an ongoing dialogue, while at the same time providing a point of reference for social workers and service users” (Hugman, 2003:1036). He concludes that: “...a critical consideration of postmodern insights may assist social workers to examine the diverse, provisional and uncertain nature of all aspects of our world, including ... values and ethics. The tendency to seek prescription in codes of ethics ... is challenged by this approach. It suggests that we might achieve more by seeking the discursive practice of moral reasoning in which all social workers are enabled to participate and held to be responsible” (Hugman, 2003:1037).

That this may be an extremely useful approach is implied by Dean’s (2001) work on the difficulties arising from social work practice in a context of ethnic diversity. She questions “...the notion that one could become ‘competent’ at the culture of another ... I would instead propose a model in which maintaining an awareness of one’s lack of competence is the goal rather than the establishment of competence” (2001:624); this clearly raises suspicion against any code of ethics which professes to be able to articulate values, principles and standards for conduct, irrespective of the context in which professionals interact (SACSSP, 2004). Hugman’s (2003) call for discursive practice also resonates well with Wise (1995), who in her deliberation on unequal power relations in professional social work from a feminist perspective contends that: “Social work never has been, and never will be, a monolithic and unitary phenomenon ... [Thus] the value of meta-ethics in social work, based on generalised and abstract principles ... needs to be questioned in the light of alternative approaches, in particular that provided by situated or context-specific ethics” (Wise, 1995:115-116).

An example for such context-specific ethics would be the Ethics of Care (Sevenhuijsen, 2003). Although the notion of shared professional values and principles are not rejected per se, the important dimensions of politics, contextuality and relationships are added. Hugman (2003:1037) therefore proposes a ‘discursive code of ethics’, to which might be added the criterion of non-essentialism. The key features of a thus conceptualised code of ethics would be as follows. Much greater weight would be placed on principles and values than on behavioural standards and prescriptions; practitioners would be encouraged to develop their personal sense of moral responsibility rather than mindlessly following rules; the diversity of social realities, world views and value systems within and across ethnic, cultural and national groupings, the contextual nature of social work practice would be recognised and embraced; and the code would demonstrate a preparedness to “struggle with contradictions, seeing any *aporesis* ... as both inevitable and fruitful” (Hugman, 2003:1037). Over and above these points, there is also, as demonstrated above, the need to explicitly acknowledge the systemic nature of poverty, marginalisation and deprivation, which seems to afflict increasing numbers of people in virtually all contemporary societies.

The recent process of global standard setting for social work education and training illustrates what the proposition of a discursive and non-essentialist code of ethics may mean in practice. These standards were adopted in September 2004 at the International Federation of Social Workers (IFSW) conference in Adelaide, Australia, following just under five years of global professional discourse (Sewpaul, 2004; Sewpaul & Jones, 2004; Williams & Sewpaul, 2004). The undertaking was informed by a sense of scepticism on the part of the key personalities driving the process, which in turn was founded on their recognition – from a postmodern perspective – of some of the irreconcilable contradictions inherent in the – ostensibly modern – project. For example, a critical engagement with issues of power and representation led to attempts to ensure “...an inclusive a process as possible. While the vision of global standards was initially conceived by International Association of Schools of Social Work (IASSW) and IFSW leadership, its

substance was determined by a road constituency” (Sewpaul, 2004:2). And it is precisely because of the intention of “...deepening our commitment to social justice, human rights, inclusivity ... dialogue and responsiveness to clients...” (Sewpaul, 2004:2) that the committee overseeing the process sought to consistently question the value of what they were doing and how they were doing it. Accordingly, it was emphasised from the onset that “...the document [was] not intended to be a finite, static end product” (Sewpaul, 2004:2), and a clear message accompanied the adoption of the global standards that the process of broad-based consultation, engagement, development and critique did not come to an end in September 2004.

Sewpaul and Jones (2004:503) assert that “The challenge in the formulation of the global standards has been for them to be specific enough to have salience, yet broad enough to be relevant to any given context”. In order to encourage both the development of locally specific responses and continuing dialogue across contexts, universal principles have been retained and upheld, but these have been embedded within notions of flexibility. And finally, the global standards document has – in view of the reality of diverging viewpoints, interpretations and contested meanings of terms and concepts – “...wherever possible, provided qualifiers and [indicators] that certain concepts may be differently defined in different contexts” (Williams & Sewpaul, 2004:564). Yet the committee overseeing the development of global standards remained mindful that the document will be powerless unless individuals take the responsibility to engage with it, interpret it and apply its content meaningfully in their specific localities.

In other words, postmodern discourses on ethics and standard setting in social work have come to less radical conclusions than Bauman (1993) has. They signify attempts to substitute rules with dialogue, universality with contextuality and seemingly timeless fixation of abstract principles with fluidity of meaning and interpretation. At the same time, some of modernity’s great projects, such as human rights, emancipation and social justice have been retained as ideals and guiding principles for social work practice and education.

### **Conclusion: Towards a discursive and non-essentialist code of ethics for South African social service professionals**

This article has attempted to provide a postmodern critique of the SACSSP’s draft Code of Ethics. In so doing, the relevance of postmodernism for a debate on ethics and morality in South African welfare was explored. Several aspects of what may be considered – from a postmodern perspective – to have broadly shaped the nature of the current South African welfare context were sketched. Attention was paid to culture, race and class as important dividing lines and sources of contradiction and tension in South African society. This discussion informed the subsequent section, in which selected aspects of the draft code of ethics were discussed in some detail. Central notions in this regard were the document’s claims to *foundation* and *universality* in view of the unavoidability of *ethical dilemmas* and *moral ambivalence* in professional social work practice. Finally, current debates on the role and function of ethical codes and standard setting in social work under postmodern conditions were reviewed with a view to extracting those aspects of the debate that might usefully inform processes and developments around the future Code of Ethics for Social Service Professions.

It was found that the 2004 draft Code of Ethics deals with the ethical and moral dilemmas – which welfare practitioners may face, at least in part, as a result of South Africa’s particular socio-structural conditions – as though they were singular incidents and amenable to resolution so long as individual practitioners followed the principles, rules and prescriptions set out in the code. The document neither displays an awareness of its inherent contradictions, nor acknowledges any of the complexities or the systemic nature of injustice, which define the current South African

welfare context. Therefore, the draft code must fail in its ambition to articulate and enforce a universally applicable set of ethical principles and behavioural standards for the SACSSP's membership. While not rejecting the notion of a code of ethics per se, it was proposed that in order to be able to speak to the moral uncertainty and ethical dilemmas practitioners cannot but experience in their daily work, it would have to encourage morally responsible practice rather than being reduced to providing an enforceable set of rules.

For these reasons, a discursive and non-essentialist code of ethics was proposed. Such a code would have to meet several criteria. Firstly, the process of conceptualisation and writing must be inclusive. Secondly, the document must not be regarded as static. Instead, the process of developing the document must be regarded as indefinitely incomplete and as a continuous process of dialogue, action and reflection. A discursive and non-essentialist code of ethics would aim to bridge the tension between the need to uphold central universal values and principles, on the one hand, and the need to acknowledging the particularity and diversity of practice contexts, on the other. Its principles and standards must therefore serve as guidelines rather than rules; and its content must be actively embraced, interpreted and applied on a case-by-case basis by its users. Finally, the document must develop a position in relation to the systemic nature of social phenomena such as social injustice, poverty and cultural intolerance and afford practitioners who are faced with their potentially unbearable symptoms the necessary protection and support.

What is required of the Council members in turn is that they – rather than regarding the code of ethics as a set of rules to be followed – genuinely strive towards morally responsible practice. Being morally active also means that social workers and other social service professionals seek genuine encounters and dialogue with their various client systems as a crucially important basis for moral practice. It also means that they make inputs to the South African Council for Social Service Professions wherever and whenever the Code needs to be improved. Only then will it become a living document that evolves with the changing nature of South African society.

## REFERENCES

- ALCOFF, L.M. 2002. Philosophy and Racial Identity. In: OSBORNE, P. & Sanford, S. (eds). **Philosophies of race and ethnicity**. London: Continuum.
- APPIAH, K.A. 2001. African Identities. In: CASTLE, G. (ed) **Postcolonial discourses: An anthology**. Oxford: Blackwell.
- BAUMAN, Z. 1993. **Postmodern ethics**. Oxford: Blackwell.
- BAUMAN, Z. 1995. **Life in fragments: Essays in postmodern morality**. Oxford: Blackwell.
- BAUMAN, Z. & TESTER, K. 2001. **Conversations with Zygmunt Bauman**. Cambridge: Polity Press.
- BENHABIB, S. 1992. **Situating the self. Gender, community and postmodernism in contemporary ethics**. Cambridge: Polity Press.
- BOND, P. 2000. **Elite transition: From Apartheid to Neoliberalism in South Africa**. London: Pluto Press.
- DEAN, R.G. 2001. The myth of cross-cultural competence. **Families in Society: The Journal of Contemporary Human Services**, 82(3):623-630.

DEPARTMENT OF HEALTH AND POPULATION DEVELOPMENT 1978. **Social Services Professions Act, Regulations and Rules: Manual**. Pretoria: S A Council for Social Service Professions.

DROWER, S.J. 1991. Social Work Unity: Present Quest for the Impossible? **Social Work/Maatskaplike Werk**, 27(1):36-43.

DROWER, S. 1996. Social work values, professional unity and the South African context **Social Work: Journal of the National Association of Social Workers**, 41(2):138-146.

DUBOIS, B. & MILEY, K.K. 1999. **Social Work. An empowering profession** (3<sup>rd</sup> ed). Nedham Heights, Massachusetts: Allyn & Bacon.

FOUCAULT, M. 2000. **Ethics: Subjectivity and truth. The essential works of Foucault 1954-1984**, Vol I (ed: Paul Rabinow). London: Penguin.

GRAY, M. & ALLEGRIITI, I. 2003. Towards culturally sensitive social work practice. Re-examining cross-cultural social work. **Social Work/Maatskaplike Werk**, 39(4):312-325.

HÖLSCHER, D. & RANIGA, T. 2005. Experiences of moral and ethical dilemmas in contemporary welfare practice. How helpful is the draft Code of Ethics? (In preparation)

HOWE, D. 1994. Modernity, Postmodernity and Social Work. **British Journal of Social Work**, 24: 513-532.

HUGMAN, R. 2003. Professional Values and Ethics in Social Work. Reconsidering postmodernism? **British Journal of Social Work**, 33:1025-1041

HUSBAND, C. 1995. The morally active practitioner and the ethics of anti-racist social work. In: HUGMAN, R. & SMITH, D. (eds) **Ethical issues in social work**. London & New York: Routledge.

IFSW - INTERNATIONAL FEDERATION OF SOCIAL WORKERS 2000. **Definition of social work**. Available: [www.ifsw.org/Publications/4.6e.pub.html](http://www.ifsw.org/Publications/4.6e.pub.html)

LOEWENBERG, F. & DULGOFF, R. 1982. **Ethical decisions for social work practice**. Itasca, Illinois: F.E. Peacock.

NUSSBAUM, M.C. 2001. **Upheaval of thought: The intelligence of emotions**. Cambridge: Cambridge University Press.

PARTON, N. 1996. Social theory, social change and social work: An introduction. In: PARTON, N. (ed) **Social theory, social change and social work**. London & New York: Routledge.

POPPEL, P.R. 1985. The social work profession: A reconceptualisation. **Social Service Review**, 59(4):560-578.

RANIGA, T. 2005. The current social security system in South Africa: Does it meet the needs of the vulnerable and poor? In preparation.

REAMER, F.G. 1998. The evolution of social work ethics. **Social Work: Journal of the National Association of Social Workers**, 43(6):488-500.

SEEPE, S. 2004. **Towards and African identity in higher education**. Pretoria: Vista University & Scotaville Media.

SEVENHUIJSEN, S. 2003. Principle ethics and ethics of care: Can they go together? **Maatskaplike Werk/Social Work**, 39(4):393-399.

- SEWPAUL, V. 2004. **Global Standards: Promise and pitfalls for re-inscribing social work into civil society.** Paper presented at the Conference of the IFSW in September 2004 in Adelaide, Australia.
- SEWPAUL, V. & HÖLSCHER, D. 2004. **Social work in times of neoliberalism: A postmodern discourse.** Pretoria: Van Schaik.
- SEWPAUL, V. & JONES, D. 2004. Global standards for social work education and training *Social Work Education*, 23(5):493-513.
- SEWPAUL, V. 2005. **Policy for family living: A structural social justice approach.** Unpublished Paper Presentation. Department of Social Development: International Conference on Families, ICC Durban.
- SMITH, L. 2004. Current challenges for the realisation of human rights in South Africa. In: GESELLSCHAFT FÜR INTERKULTURELLE BILDUNGSFORSCHUNG UND ENTWICKLUNGS-PADAGOGIK E.V. & KOMMENT (eds) **ZEP – Zeitschrift für internationale Bildungsforschung und Entwicklungspädagogik** 4/2004 (in print).
- SACSSP - SOUTH AFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS 2004. **Code of Ethics Guidelines: Draft 2.** Pretoria: SACSSP.
- STEYN, M.E. 2001. **Whiteness just isn't what it used to be. White identity in a changing South Africa.** Albany: State of New York Press.
- TERREBLANCHE, S. 2002. **A history of equality in South Africa 1652-2002.** Pietermaritzburg & Sandton: University of Natal Press & KMM Review Publishing.
- THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA 1996. Pretoria: Government Printers.
- WILLIAMS, L. & SEWPAUL, V. 2004. Modernism, postmodernism and global standard setting. *Social Work Education*, 23(5):555-565.
- WISE, S. 1995. Feminist ethics in practice. In: HUGMAN, R. & SMITH, D. (eds) **Ethical issues in social work.** London & New York: Routledge.
- YOUNG, I.M. 1990. **Justice and the politics of difference.** Princeton: Princeton University Press.

*Ms Dorothee Hölscher, School of Social Work and Community Development, University of KwaZulu Natal, Howard College Campus, Durban, South Africa.*