



The Ethical Muscle

A Competence-Based Approach to Professional Ethics

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Abstract

In this thesis I propose a competence-based approach to professional ethics, building on psychological research and integrating insights and examples from applied ethics. I argue the competence-based approach provides a foundation for developing profession-specific virtues, simplifies education in ethics, endorses the flexibility of ethical knowledge, and increases the accessibility to ethical thinking for professionals. After discussing some of the conditions to their formulation, I suggest four professional ethical core-competencies (moral sensitivity, ethical reflection, reflection in- and on-action, ethical performance). The Cheetham-Chivers professional competence model (Appendix 1) serves as the theoretical context in which the competencies should be understood. The virtue-based approach is seen as an extension of the competence-based one, which aims not to define the *good*, virtuous professional, but the *competent* one, able to deal adequately with ethical issues. The normative stances taken in the first two chapters are ultimately related to the ones taken by actual professionals. I use the Dutch youth care as case-example to illustrate how the professional ethical competencies manifest and are perceived as relevant in practice.

Table of Contents

ACKNOWLEDGEMENTS	III
ABSTRACT	V
1. INTRODUCTION	1
2. THEORETICAL FRAMEWORK	3
2.1 ETHICAL EXPERTISE AND PROFESSIONAL ETHICAL COMPETENCE.....	3
2.2 INTEGRATED EMPIRICAL ETHICS	5
2.3 WHAT IS PROFESSIONAL ETHICAL COMPETENCE?.....	8
2.4 WHY ETHICAL COMPETENCIES?.....	12
2.4.1 STRUCTURE	14
2.4.2 EDUCATION/TRAINING.....	15
2.4.3 FLEXIBILITY.....	16
2.4.4 ACCESSIBILITY.....	16
2.5 VIRTUE VERSUS COMPETENCE.....	17
2.6 WHAT DOES THE COMPETENCE APPROACH PRESUPPOSE?.....	20
3. ETHICAL CORE-COMPETENCIES	24
3.1 CONDITIONS FOR THE FORMULATION OF ETHICAL CORE-COMPETENCIES.....	24
3.2 REST'S MODEL AND OTHER EXISTING COMPETENCIES.....	27
3.3 FOUR BASIC PROFESSIONAL ETHICAL COMPETENCIES.....	30
3.3.1 MORAL SENSITIVITY.....	31
3.3.2 ETHICAL REFLECTION.....	33
3.3.3 ETHICAL REFLECTION-IN- AND ON-ACTION.....	35
3.3.4 ETHICAL PERFORMANCE.....	37
4. COMPETENCIES IN PRACTICE	40
4.1 MORAL SENSITIVITY	42
4.2 ETHICAL REFLECTION.....	43
4.3 REFLECTION IN- AND ON-ACTION.....	46
4.4 ETHICAL PERFORMANCE.....	48
4.5 THE CHEETHAM-CHIVERS MODEL REVISITED.....	50
5. CONCLUSION	52
APPENDIX 1.....	54
BIBLIOGRAPHY	55

1. Introduction

Confusion reigns when we attempt to ascertain what exactly is expected from professionals with regard to ethics. Perhaps the most common and intuitive approach to the issue is producing a list of positive traits one finds appropriate for a particular profession: loyalty, responsibility, integrity... the task of academics being elucidating and explicating these traits one by one. Others may argue: professionals are expected to *know* about ethics. With this is meant learning from experience, being aware of past cases within one's field, the scandals, the recurring dilemma's. Still others might take a more philosophical turn, and stress the importance of memorizing principles and normative theories. All of these approaches may help the professional in dealing with ethical issues, but none of them provides the professional with a solid, overarching, uniform foundation on which he can develop his *own* ethical muscle.

The “ethical muscle” is a metaphor meant to emphasize the flexibility of professional ethical core-competencies. It effectively conveys the idea (and assumption) that the ethical competencies composing the ethical muscle are something that actually can be trained and strengthened, abilities that need to be developed rather than traits that need to be possessed. The competencies professionals need are akin to those used by 'the ethicist' to identify moral issues, shed some light on the various sides of the problem, and discern between possible coherent courses of action. Be it to foresee and avoid disastrous corporate or social scandals, improve revenues and brand recognition, out of some normative imperative, or simply to contribute to a better society, being able to deal with the ethical side of professional decisions seems an ability important enough to be properly developed.

Once we recognize the education of professionals in ethics is indeed worthwhile, one of the first questions is: which competencies should professional ethics education develop? (Kole, 2011). In a way, this research does not go much further than this

question and the sub-questions it entails: why is it beneficial, in professional ethics, to use the concept of ethical competence and distinguish specific competencies in the first place? What are the theoretical assumptions of a competencies-based approach? What makes competencies ethical? What do actual professionals perceive as important with regard to ethical competence?

Professional ethical competence, the overall ability to identify ethical issues and make well-justified ethical decisions, is a highly disputed notion: (1a) there is no general agreement a competencies-based approach is beneficial, (2a) there is no clarity on what this perspective implies, (3a) there is no consensus about what the professional ethical competencies are. I will argue that (1b) a competencies-based approach provides the structure and accessibility much needed for professionals to develop their ethical muscle, (2b) the approach implies among other things a departure from the virtue-centered approach, the existence of a competence-continuum, the separation between everyday and professional ethical thinking. (3b) Four of the most basic ethical competencies are: moral sensitivity, ethical reflection, reflection in- and on-action, ethical performance.

The document is divided in three chapters. The general structure will be funnel-like, departing from a broader theoretical perspective and concluding with examples of professional ethical competence. In the first chapter, I will sketch a theoretical framework, which delineates the context in which professional ethical competencies should be understood, and clarifies what the approach implies. The theoretical chapter. In the second chapter, after reviewing the existing formulations in moral psychology and applied ethics, I will suggest four professional ethical core-competencies. In the third and last chapter I will focus on professional practice, specifically on youth care. The idea is to apply the perspective outlined in the first two chapters, and show how the competencies manifest in youth care.

2. Theoretical framework

Understanding the collective abilities and tools professionals need to successfully confront moral problems as 'ethical competence' has many advantages.¹ For one, it makes the development, training, and improvement of these capabilities more feasible and effective. However, the effectiveness of evaluation and improvement of professional ethical competence is contingent on the establishment of highly defined targets. While this may seem self-evident, notice that “to increase professional ethical competence” is far too vague and unpractical a goal: In order to properly reap the advantages of this approach we must therefore first clarify what exactly is being trained, and what ethical competence entails. In this chapter I will sketch a theoretical framework meant to support the second (professional ethical core-competencies) and third (competencies in practice) chapter. Before getting into the theoretical presuppositions of the ethical muscle view and competencies-approach, I will make some basic distinctions to counteract conceptual confusion.

2.1 Ethical expertise and professional ethical competence

One hidden imperative that might be found behind focused ethics training is that everybody should be an expert in the ethical issues arising in one's own profession, or at least be able to recognize them.² The first distinction I will therefore make is

¹ Ethics is the systematic reflection on moral issues, the complexities and presuppositions, the most justified course of action. Morality is used to refer to a code of conduct put forward by a society or group, has to do with one's personal accepted moral values, and is related to culture and upbringing (Ritter, 2006; Churchill, 1982). For the length of this thesis the term “ethical, ethics” will be used in relation with systematic reflection *about* moral issues, while “moral” will be used when indicating a direct relation with moral norms and values.

² I will use ethics *training* instead of moral *education*, because the term 'education', while not incorrect, may mislead one in thinking new moral values are to be assimilated, and old ones have to be forsaken. This is not necessarily the case: ethics training is about expanding, justifying, developing our ethical choices. Ethical thinking is a set of skills trainable at any given moment in life, in the same way logical or critical thinking is.

between the expertise of an ethicist (systematic reflection on ethical issues) and the ethical competence of a professional (the ability to recognize and confront ethical issues arising in one's workplace). In order to avoid terminological confusion, accommodating the existing terminology, and *not* to suggest some hierarchical order, I will call *ethical expertise* the ability of the moral philosopher/ethicist to systematically reflect on ethics. I will refer to the fine-tuned ethical proficiency of a professional as *ethical competence*.

Ethical expertise does not lie in *knowing* what is the right thing to do in a particular situation, but in the ability to develop and test the “*sui generis*” moral intuitions of people and stimulating ethical reflection.³ It follows that most applied ethicists (who do not merely 'apply' moral theory) are understandably reluctant to provide conclusive advice, and prefer sticking with facilitating ethical reflection. Ethical decision-making remains a personal endeavor, which guidelines and protocols can “alleviate” in some cases, but will never completely take over. The multitude of variables at work, the context-sensitiveness of moral issues, the fact new ethical problems arise with the advent of new technologies and social phenomena, and the social-cultural shift in paradigms throughout history are all factors that play a role in this. Both ethical expertise and ethical competence develop by means of reflection on ethical issues, experience in dealing with hard cases, achieving insight into the multitude of values and norms found in society.

One of the most evident differences between the two is their scope: While the 'ethicist' is concerned with a wide range of issues, the professional is most of all 'tuned' to a specific sort of problems, namely the ones arising in his own workplace. In this sense professional ethical competence requires a higher degree of specialization, a detailed knowledge of all the factors involved, a certain amount of experience in the history of ethical dilemmas of the profession. Physicians for example deal with some of the most recognizable ethical dilemma's, some of which became a society-wide concerns.

³ See the broader discussion on ethical expertise (Bagini 2010; Cowley 2005; Crotstwaite 2005; Steinkamp and Gordijn 2008; Scofield 2008)

A second distinction, related to the first, regards the purpose of the reflection. The moral philosopher and ethicist will often attempt to unravel an ethical problem without necessarily aiming to reach a normative conclusion: The problem is outlined, the various implications and complexities are described, and eventually the unreasonable or 'unethical' courses of action are discarded. The professional, however, must identify the problem, understand its ethical dimensions, and often actually make a moral decision. This takes a higher toll on a personal level, for if the problem is complex, and the professional did not take into account all its implications, the result will not be some academic criticism on an article, but possibly detrimental consequences on the company or society at large. The impact of moral decision-making in professional spheres entails there will be little room for sophistry and theoretical speculations: pragmatic, down-to-earth thinking is a must. This does not mean professionals are excluded from deeper theoretical thinking about ethical issues, but it means real moral problems require real moral decisions, often under pressure of limited time and resources. As I will argue in the second chapter, this has great implications for how we must understand *professional* ethical competence.

2.2 Integrated empirical ethics

In this research I will make use of some results of descriptive studies, mainly from the field of moral psychology. Since it is not self-evident empirical data is or can be used in applied ethics, I will briefly justify this choice before getting into the actual competency-discussion. Moral philosophers have in recent decades become increasingly interested in the empirical insights concerning morality of other disciplines. Perhaps due to the success of twentieth-century pragmatist theories, normative and applied ethics have begun cooperating and integrating the descriptive ethics to form the new branch of empirical ethics (Van den Burg, 2009). Empirical ethics generally holds that data about the actual moral intuitions, reasoning, and behavior of people is relevant and meaningful for normative ethics. Moreover, the methods descriptive sciences use to collect this data are accepted to be the most

adequate way to acquire this kind of information (Borry et al., 2004a). The relevancy of empirical evidence in ethical reflection entails the blurring of the boundary between the descriptive and the prescriptive, the empirical and the normative. Yet the boundary is still there: context and evidence do not indicate what *is* morally right and wrong, but they are to be involved in a normative process trying to determine this. In other words, empirical ethics is not a methodology of 'doing ethics', but an attitude to include empirical findings in the process of ethical reflection (Borry et al., 2004a). If empirical findings are indeed relevant, then ethical competence *cannot* be defined or measured without the help of descriptive instruments and data.

Molewijk (et al., 2004) identified several approaches to the use of empirical data in ethics. *Prescriptive applied ethicists* and *theorists* find authority in moral theory, while *critical applied ethicists* and *integrated empirical ethics* find it in both theory and social practice. According to *practicalists*, empirical data is the only authority, moral theory has no function at all. Much can be said about each of these stances, but suffice it to say the very purpose of this research (i.e., to propose the competencies-based approach as fruitful in applied ethics) already rules out the prescriptivist, theorist, and particularist approaches. As I will argue later on, in fact, the lack of absolute moral authority of ethical experts, and the importance of contextual and case-specific factors, implies the interdependence of the theoretical and the empirical. The interaction between theory and empirical data can be considered an addition to a process nowadays well-known and widely used: reflective equilibrium.⁴

Extensive research in ethics supports the idea the two are indeed interwoven (Berg and Mol, 2001; Molewijk et al., 2004). For example, in various studies Molewijk has shown how normative values are often implicit in the presentation of scientific facts, which has real impact on the autonomy of patients (Molewijk, 2001; Molewijk et al., 2003). Research in integrated empirical ethics aims to bridge the seemingly irreducible gap between fact and value, the empirical and the normative. Empirical

⁴ A method consisting in reflecting back and forth from general rules and principles to specific intuitions about cases, and the general theories that are considered to be relevant to both the principles and intuitions (SEP, 2003). The method was described and given prominence by John Rawls (1951; 1971).

data can be used in ethics with different goals in mind: description, interpretation, explanation, evaluation, reform, development of moral theory, development of methodology (Molewijk et al., 2004). An exhaustive inquiry on a specific topic involves all these goals.

There is however an obvious tension between descriptive and applied ethics. For good reason, descriptive ethics is not exactly part of moral philosophy, but is the domain of the social sciences (psychology, sociology, anthropology) and to some extent neuroscience. In the descriptive sciences there is not the same space for discussion we find in applied ethics: the goal is to establish empirical, reproducible observations. Studies in applied ethics and descriptive research, dealing with the same issues and concepts, will often avoid each other, fearing to cross the line between what *is* and what *ought* to be. Some descriptive scientists will simply not bother confronting the Humean *is-ought* dilemma, thinking it safer to stick to the so-called facts. Some theorists will not bother even understanding what the empirical/social moral facts are, because it would be of no consequence for the 'reasonable truth' of moral theory. The empirical and the normative *can* thus be seen as fundamentally separate, as do most of the previously mentioned approaches, attributing some role to empirical data in ethics but still understanding it as separate. In contrast to this 'separatist view' of the normative and the empirical, I think the two are better seen as *symbiotic*, especially for purposes such as the one of this research: to create a conceptual framework in which both fields can work. This integrated view combines normative and descriptive disciplines and does not distinguish between *purely* empirical or normative claims (Weaver and Trevino, 1994; Molewijk et al., 2004).

It seems the difficulties involved in giving a complex, holistic account of a moral problem, involving both descriptive and normative considerations, call for collaboration: empirical ethicists cannot work alone. The social sciences have as much to gain from the collaboration with ethics as ethics itself: empirical findings are often value-laden, and a critical scrutiny by ethicists will benefit the significance and objectivity of the results (Weisz, 1990: 6). The recent rise of empirical ethics

indicates a return of applied ethics to its point of origin: an interdisciplinary dialogue about moral questions arising in all professional and academic fields. Philosophical reflection aimed at conceptual clarity, coherence, and rational justification that remains the main goal of ethical inquiry (Borry et al., 2004; 2005). To this end, this research is intended as both an attempt to incorporate descriptive results of moral psychology and of using certain methodologies

2.3 What is professional ethical competence?

As Kitchener (2000: 155) observes, “competence is sometimes easier to identify in its absence than it is to specify what a proficient level of practical or scientific expertise involves”. It is advisable to think of the overall professional competence as a composition of many discrete competencies, that is, measurable human capabilities required to effectively perform professional tasks (Falender and Shafranske, 2007). Professional ethical competence may be seen as one of the discrete competencies composing general professional competence, which may be defined as:

“An individual's capability and demonstrated ability to understand and do certain tasks in an appropriate and effective manner consistent with the expectations for a person qualified by education and training in a particular profession or speciality thereof” (Kaslow, 2004: 775).

It is arduous to pin down overarching, meta-competencies that apply for all professions. Such an endeavor results in few very broad categories such as “communication” and “improving one's own learning and performance” (Cheetham and Chivers, 1996) which are too vague to be of any use. However, the identification of core skills has been deemed important for effective competence-based development programs. The UK government, for instance, has been promoting since the eighties the concept and development of 'core skills' (communication, numeracy, information technology, working with others, improving own performance). The development of occupational standards (used as basis for, among others, National

Vocational Qualifications) has a firmly competence-based approach, and in short, require applicants for particular jobs to possess detailed sets of competencies (Cheetham and Chivers, 1998). The content of occupational standards has been adjusted and broadened. Since the focus of this approach is more specifically on functional professional competence, and does not take into account important personal and cognitive competencies, it must be considered as merely a part of overall professional competence.

Cheetham and Chivers (1996) created a model for professional competence (Appendix 1), in which the authors attempt to harmonize the “reflective practitioner” paradigm (Schön, 1987) with competence-based approaches. For the purposes of this thesis, the model is helpful in making some clarity about where *ethical* professional competence is situated. The four core-components of the model are:

- Functional competence (use discrete skills to produce specific outcomes)
- Personal or behavioral competence (behave adequately in work environment)
- Knowledge/cognitive competence (and the ability to put this to effective use)
- Values/ethical competence (having appropriate values and make sound judgments upon these)

Each of these components could of course generate a number of questions: how does behavioral competence relate to ethical competence? Which values are appropriate? Let it suffice to say it it stands to reason such distinctions within professional competence are made in order to pinpoint what is expected from a “good” and “effective” professional, and that ethical competence is an important component of it.

In the last decades, “ethics and values” came to be acknowledged as important part of the aforementioned professional competence. The integration of ethics into occupational standards has argued to be vital for the credibility of these standards (Ozar, 1993; Eraut et al.; 1994). While ethics and values are often associated and in some cases even seen as synonymous, especially in a professional context it makes sense to distinguish between ethical competencies and values. The latter are in a way

the raw material of the former: underlying values have to be identified and exposed in order for ethical reflection to take place. Eraut et al. (1994) identify four sets of values that according to them underpin all ethical issues encountered by professionals in the workplace:

- Legal values (operating within the law and other mandatory systems)
- Professional values (relationships with clients and other professionals)
- Organizational values (relationships with colleagues, customers, public)
- Personal values (individual beliefs and behaviors)

Here I depart from Cheetham and Chiver's educational/business model, and give *ethical* competence a different twist. In the competence approach outlined in this thesis, the values outlined by Ernaut (et al.; 1994) are seen more as the object of ethical reflection, which the ethically competent professional is supposed to identify, reflect upon, balance, in order to reach an adequate ethical decision. Ethical competence can be seen as one of the overarching professional competencies, *Ethical* competence has various dimensions, involving awareness of ethical issues, a certain understanding and ability to coherently reflect on these issues, and finally a behavior consistent with certain standards of peer review, ethical principles, and values of the specific profession. Ethical (or moral) competence has been described by Kavathatzopoulos (2003: 44) as:

“The ability of a person, who confronts a moral problem, to think and act in a way that is not constrained by moral fixations or automatic reactions. Instead, the way to systematic and critical thinking must be open, that is, the ability to consider all relevant values, principles, interests, feelings, duties, needs and beliefs”.

Ethical competence can however be seen as composed by more than one, overarching ability to deal successfully with moral issues. According to Jos Kole (2011: 3), ethical competences may be considered as: “*Clusters of integrated knowledge, skills and attitudes* that all professionals need in their daily *practice* in order to flourish as

morally good professionals”. For many moral psychologists, and indirectly for many of the ethicists involved in the debate and borrowing concepts from moral psychology, said “knowledge clusters” are best summarized in James Rest's four component model. Building on Kohlberg's research, Rest and his colleagues identified four basic competencies necessary for moral decision-making and action: moral sensitivity, moral reasoning (and judgment), moral motivation, moral character (Rest & Narvaez, 1995; 1994). I will discuss later on why it is beneficial to divide ethical competence into discrete skills or competencies, and in the next chapter I will describe professional ethical core competencies more in detail, but let it for now suffice to note there is a pattern to the great variety of terms and descriptions that have been given to these competencies. Usually, in fact, they all fall under three stages:

1. Identification (of the ethical issue),
2. Reflection (leading to a well-justified decision)
3. Enactment (acting on the justified decision).

It is crucial to note the “everyday” ethical competence differs from the “professional” ethical competence in many aspects. The latter, according to many, involves for example the skill of ethical leadership (Nielsen, 1998; Kavathatzopoulos, 2003), something that the former does not require. Professional ethical competence is often discussed in business ethics, while the ethical competence psychologists as Rest (1994; 1999), and before him Kohlberg (1973) discuss is an everyday kind of ethical competence. Cheetham and Chivers (1996, 1998) distinguish in their model between personal and professional ethical competence (appendix 1). The former includes adherence to law, to moral or religious codes, sensibility to values of others; the latter includes adherence to professional codes of conduct, environmental sensitivity, ethical judgment, etc. Of course, the boundaries between everyday and professional ethical competence are not always clear, and often overlapping. It stands to reason however, that ethical competence in a professional context requires specific competencies on top of those necessary in everyday life. Moreover, professional ethical competence has a stronger normative character, due to legal and corporate

restrictions: It may be expected from a professional to conform to specific codes of conduct, while on a personal level one will choose a moral code of his liking.

There is one further complication when it comes to professional ethical competence: the specific core competencies of the profession itself. Each profession has in fact his own code of ethics, and necessary ethical skills. In the case of nurses, for example, three core (moral) competencies could be commitment, thoroughness, and compassion (Zhang et al., 2001). In the revised Professional Competence Model developed by Cheetham and Chivers (1998) an interesting comparison of contrasting professional roles showed how the importance or relevance of the various identified core-competencies differ between professions. For a research chemist, for instance, knowledge/cognitive competence will play a much bigger role than personal competence, while the latter will be a crucial competence for a bartender or any professional in a social work environment. The relevance of ethical competence, however, remained almost the same in all scrutinized professions.

2.4 Why ethical competencies?

In the previous section I have described professional ethical competence as being one of the core components of general professional competence. Ethical competence is until now still a vague, undefined concept, and not of much use for the development of ethical skills in professional nor focused discussion. It is evident that, following a deductive line of reasoning, it makes little sense to stop here, unless there are some strong reasons to do so. Would it be beneficial, for the same reasons general professional competence is understood as composed by cognitive, functional, behavioural, and ethical competence, to discern even more specific competencies within ethical competence? Can the “ethicalness” of a professional be further analysed in the same way his “professionalism” is?

In my view, arguments suggesting ethical competence is too complex a notion to be defined and divided into sub-competencies, do not into account the fact further

explication does not necessarily mean reducing its range and complexity. Just like we say that going from A to B involves movement, we can say reaching an ethical decision involves ethical competence of the actor *himself*. Just as it is unlikely a person will reach B (on his own) without using his muscles, setting steps, knowing his destination, it is unlikely one will make an ethical decision without identifying the ethical issue, reflecting on it, understanding the context. To reach B, perhaps movement would not be required if others would lift the person up and *bring* him there, with regard to ethical decision-making, this seems like a bad idea. While it can uncontroversially assume coercion and indoctrination are inappropriate methods, even drafting detailed guidelines about how to act in “ethically questionable” situations seems quite ineffective. Aside from the fact ethical issues are greatly context-sensitive and absolute rules always have their exceptions, the agent could simply not recognize the ethical issue, or simply disregard the guidelines. Ergo, it seems ethical decision-making is and remains in the hands of the actor himself. No guideline, no rule, no moral authority can “make” a person act ethically if the person in question lacks the basic ethical competencies necessary to even recognize there is a moral issue.

It follows that we already can say a few things about ethical competence: It is necessary in order to make an ethical decision, it has to be possessed by the actor himself, no one can be “competent for him”, and it involves the actual recognition of the moral issue. This pleads for the claim we can indeed further explicate ethical competence and we can identify sub-competencies. Furthermore, a competence-based approach and the recognition of distinct sub-competencies provides structure, has educational advantages, highlights the flexibility of ethical thinking, is a more accessible approach for professional ethics.

2.4.1 Structure

As we can see in the Cheetham-Chivers model (Appendix 1), the authors identify various components with regard to cognitive competence (tacit-practical knowledge, procedural knowledge, knowledge application...) but when it comes to ethical

competence, they limit themselves to a contextual distinction between personal and professional competence. The difficulty with pinning down even more specific professional ethical competencies lies in keeping them broad enough to encompass all professions. While the ethical issues professional may encounter can greatly diverge, this does not mean the skills needed to confront them differ. Still, it is evident ethical competence is a very dynamic quality, that changes not only between personal and professional life, but also between professions and even between functions within a certain profession. The ethical competence of a high-ranking CEO will for instance include a certain amount of ethical leadership a low-ranking employee does not necessarily need.

Categorizing ethical competencies provides structure. Being more tools than products, ethical competencies do not lead to exact answers when confronted with moral dilemma's. However, they are useful to identify boundaries, guidelines, *unethical* solutions to the problem. The uses and interpretations of the notion diverge between disciplines: In moral psychology, a competencies-based approach is effective to define and describe the moral person, by identifying the different skills composing his overall ethical competence. In applied ethics, a competencies-based approach is effective in the design, education, and evaluation of ethics programs. Outside the academic world, competencies-based approaches are seen as the most effective and clear method to identify and realize expectations. Professionals, ethically speaking, are expected to conform to specific codes of conduct, but most importantly they are expected to be “ethically skilled”, and understand (being competent) why such codes have been introduced.

2.4.2 *Education/Training*

It stands to reason one of the benefits of a competencies-based approach is a more efficient ethics education. As I have shown, and many others have argued (see for example Caplan, 1980; Camenisch, 1986; Rossouw, 2002; Ritter, 2006), the evaluation and improvement of trainings in ethics are contingent on the establishment of highly defined goals. Discerning between various competencies such as moral

sensitivity, moral imagination, ethical reflection, makes it easier to identify ethical weaknesses in professionals, and determine which part exactly of one's ethical competence should be targeted. Moreover, the muscle metaphor and the competencies based approach are helpful tools for all those involved in ethics teaching, providing a clear framework for the design, evaluation, and improvement of profession- specific ethics programs. The choice of using a skill or competencies based approach has a lot to do with unreasonable and reasonable aims of ethics education. Unreasonable aims for an ethics program are often related to the character and virtue, behavioral change and value inculcation (Clarkeburn, 2002). Aiming to shape the moral behavior is problematic because there is no real agreement over what exactly the “appropriate” values should be and especially why the ones already held by those being “educated” are inappropriate.

As Clarkeburn (2002) observes, one alternative possibility for ethics education is not to focus on the inculcation of values, but on the process of decision-making. Assuming the main purpose of education is to encourage development and improvement in certain areas, it may be stated that ethics trainings are as well focused on progress, and not necessarily the result. This means that there is no perfect model of ethical leader the students have to *become* during their training. The usual critiques to ethics education as being indoctrination or based on arbitrarily or inappropriately chosen values do not apply when the education is restricted on providing those skills and tools necessary to systematically reflect on personal and professional ethical dilemmas (Callahan and Bok, 1980; Clarkeburn, 2002).

2.4.3 *Flexibility*

Ethical competence is similar to a muscle: our ability to identify and reflect on ethical issues grows by feeding on different perspectives, factual information, theoretical principles. This “ethical muscle” can be trained in order to more successfully confront and deal with the ethical problems we encounter. One's ethical strength consists thus not only in being able to actually make a moral decision, but to make a decision that is soundly justified, that takes into account the ethical dimensions of

issues. The muscle is “ethical” because it refers to those skills and tools necessary for the identification and systematic reflection *on* moral issues and values. In this sense, the ethical muscle is a key metaphor to see professional ethical competence from the right angle, namely one where the structure and models developed in moral psychology meet the experience in systematic reflection on morality provided by moral philosophy. These two disciplines can only come together in a field as applied ethics, where the normative must meet the descriptive in order to provide a framework and methods professionals can actually work with. On additional reason working with ethical competencies and the ethical muscle view is thus that professionals (employees) can test their ethical strength with reference to the competencies-model. Employers on the other hand can use the competence-model in recruitment and career development, by probing candidate’s ethical strength.

2.4.4 *Accessibility*

Focusing on ethical competencies is a more accessible way of introducing professionals to the moral dimensions of their workplace and work-related issues. Instead of confronting a starting professional with what being a “good professional” means, and which virtues it requires, he is presented a more down-to-earth, intelligible, and practical set of ethical competencies required to actually do his job adequately. While it is most certainly important to reflect upon and value well-known virtues such as loyalty, responsibility, integrity, perseverance, honesty, commitment in professional ethics, they are often perceived as something to work towards. Moreover, confusion about the meaning of these virtues, how they relate to each other, and most importantly how they can be developed, makes virtue-ethics approaches very inspirational but also very unpractical. Ethical core-competencies on the other hand, are be basic ethical muscles a professional needs in order to reach for these virtues. The competent professional and the good professional differ in that the former possesses the basic competencies necessary to deal with ethical issues, and the latter, though the use of these competencies and the experience acquired, has developed those virtues that make him nor merely a competent, but also a good professional.

2.5 Virtue versus competence

The discussion on virtues must not be confused with the one about professional ethical competence. Being ethically competent is in fact a much more accessible, feasible quality than being an all-round virtuous person. Ancient Greeks used to compare moral philosophy to training physical condition (hence the “muscle” metaphor). According to Aristotle, the moral virtues are not innate; just as intellectual virtues come about by learning, moral virtues come about by habit. Practicing ethical reflection, learning from mistakes, taking into account new considerations, all is part of this process. Said process leads to sound moral judgment (*phronesis*): the automatic, internalized following of those steps that lead to a well-weighted moral judgment (Robinson, 2004). While there are obviously many overlapping parts, and being virtuous could *imply* being ethically competent, the latter is much more defined, especially due to legal, governmental, and business restrictions. Being ethically competent does not *necessarily* imply one chooses willingly for the ethical decision, or does so “out of virtue”. Becoming ethically competent in one’s profession is in many ways a rational undertaking, involving understanding why an issue has ethical aspects and what the impact and consequences of one’s decision with regard to this issues is. Since understanding is a matter of reflection, developing one’s ethical competencies requires work and effort, in the same way training a muscle does.

The distinction between virtue and competence is crucial to this research. If by virtue is meant the intrinsic (positive) moral qualities of a person, especially when these qualities are considered to be innate, the concept of competence is quite the opposite. Ethical competences are “merely” tools that enable the professional to resolve moral issues in an efficient, rational, and considerate fashion. There is no moral status attached to an ethical competency itself except the consideration it is a useful, convenient, and perhaps indispensable asset to get the job done. This is also the reason why one should talk about ethical competencies instead of moral competencies: the tool itself is not moral, but it works on “the moral”.

Viewing ethical competencies and the ethical muscle as a tool does not exclude the possibility virtues *are generated* through the repeated use of these tools. Eventually, a professional might become very experienced in dealing with moral issues, able to provide fast and deep insight into the moral dimensions of problems. At this point, such “ethically strong” professional will be recognized by colleagues as being an integer, responsible, virtuous individual. However, this discussion goes beyond the purposes of this research: the “virtuous professional” is the ideal at the end of the continuum. The age-old question “can virtue be taught?” is thus answered somewhat differently than Socrates in the dialogue “Protagoras”. Socrates argues that since we cannot “point to virtue”, nor learn anything from instances of virtue if we are not able to recognize them, we must focus on knowledge attained by philosophical reflection, the necessary ingredient of virtue (Plato, 1991). The aforementioned Aristotelian position is akin to the one taken in this research, since virtue *can* be considered to be the product of habit. On the other hand, what is actually exercised (and leads to virtue) is something much alike the philosophical reflection mentioned in Plato's dialogue.

As mentioned earlier, focusing on competencies instead of virtues has the great advantage the training of the former is far more feasible than the training of the latter. What is expected from the professional is not to repent, change his life, and become what “ethics” declares to be virtuous; what is expected is the professional possesses the right tools to effectively confront a category of issues which require ethical reflection. To be a competent blacksmith one needs to know how to use a hammer: to be a competent professional one needs to know how to handle a moral problem.

As we will see in the third chapter, when exploring and analysing the competencies professionals active in specific fields such as youth care should have, the discussion often falls back to “professional virtues” such as responsibility, honesty, integrity. According to Bert Musschenga (2009: 40), a quality such as integrity is characterized by three clusters of virtues:

- Communicative virtues (honesty, transparency...)
- Motivational virtues (loyalty, commitment...)
- Volitional virtues (perseverance, self-control...)

As will be evident by now, this is a quite different approach than the one taken in this research. Although one approach does not necessarily confute the other, it does reveal different preconceptions. Understanding the virtue based approach is of great help to place the competency-based one: the former can be seen as the extension of the latter. Musschenga describes as it were the ideal professional, at the end of the competence-continuum, in a retroactive effort to reconstruct what the characteristics of a fully ethically-competent professional are. The professional ethical core-competencies, on the other hand, describe what is required or expected from a competent professional in order to handle a moral issue at all, and thus describes the professional at the beginning of the continuum. The competency approach allows for the development of new, undefined virtues, functioning as a stable foundation on which professionals can build. It shuns the tendency to nail down the virtues one needs to possess in order to leave each individual free to fulfill and substantiate one's professional ethical life in the best way relative to the specific situation.

Of course, as we have seen, there is no real linear hierarchical relation between individuals on the continuum, except for the fact a professional on the advanced side of the continuum masters and most importantly *exercises* the ethical core-competencies. The reason no professional is *always* on a fixed point on the continuum is cases and moral dilemma's are so diverse, nobody acts every time with the same degree of sensitivity, objectivity, care. Some moral issues can be simply too distant from an individual's experience and perspective to be handled perfectly. It is therefore more appropriate to say groups of individuals with different backgrounds, reflecting on moral issues, are more likely to have a stable place on the advanced side of the continuum.

2.6 What does the competence approach presuppose?

It will be apparent by now that seeing ethical competence as a muscle that can be trained presupposes many things, and entails others.

- Moral justifications can be rationally inadequate and refuted.
- Professional ethics focuses agent
- An ethical competence-continuum.
- Openness to the ethical viewpoint
- Theoretical presuppositions

Moral justifications can be rationally inadequate and refuted. While the moral decision cannot be taken out of its context nor as separate from the agent himself, but this does not mean any moral decision will do: In order for applied ethics to make sense we must presuppose moral arguments and justifications can be tested and refuted. This does not mean the ethicist *knows* what is right and wrong, but that for each ethical dilemma there might be a number of “right” solution as well as “rationally unacceptable” solutions from an impartial point of view. The point of training one’s “ethical muscle” and become ethically competent is to fall less often for inadequate justifications, and gaining insight into which exactly our values are and if our actions do consistently uphold them. In professional ethics, the boundaries of what classifies as ethically acceptable are even more defined, by specific codes, regulations, policies.

Professional ethics focuses on the agent. While in all professions there are some recurring ethical issues which past experience makes easier to identify and address, the competence-approach entails the focus of ethical thinking is not on existing codes and regulations, but on the individual agent. Besides the fact there are many ethical issues codes do not take into account, and the fact each new technological and social development brings about new ethical problems, *doing* what is ethical does not

automatically follow from *knowing* what is unethical. The reason the ethical muscle cannot be cheated, is that the training itself is necessary to shape one's moral character, and not merely knowing the ethical code of one's profession, but also actually understand its significance and internalize its lessons. Merely obeying a list of “ethics rules” does not encourage taking the critical stance necessary for the agent to decide what he *ought* to be do. Ethical reflection goes beyond codes and regulation in the sense it is a struggle realize moral ideals through consistent ethical behavior. Sometimes this involves taking a critical stance toward the very practices and regulations that are considered normal and ethically acceptable. Summarizing, the focus of professional ethics is on the professional and not so much on the profession. This means that more than aiming to devise the perfect code of conduct and list of rules to follow when confronted with an ethical dilemma, professional ethics should be about the internalization for professional of those competencies necessary to make ethical decisions.

One tacit imperative behind focused ethics training is that everybody should be an expert in the ethical issues arising in one's own profession, or at least be able to recognize them. There would be no need for training our own “ethical muscles” if ethicists could just tell us what to do at any given moment and with any given issue. One must therefore distinguish between the expertise of an ethicist (systematic reflection on ethical issues) and the ethical competence of a professional (the ability to recognize and confront ethical issues arising in one's workplace). In order to avoid terminological confusion, accommodating the existing terminology, and *not* to suggest some hierarchical order, I will call *ethical expertise* the ability of the moral philosopher/ethicist to systematically reflect on ethics. I will refer to the fine-tuned ethical proficiency of a professional as *ethical competence*.

An ethical competence-continuum. Where there are competent, “ethically strong” agents, there are also ethically weak agents. Professional ethical competence develops following a pattern in which “detachment and rule-based behavior give way to greater immersion in situational aspects and produce context-based behaviors” (Falender and Shafranske, 2007: 234). On this competence-continuum, we have at one side the beginner, knowing, understanding, and applying professional ethical

rules consistently, and at the other side the experienced professional, applying rules in a more nuanced fashion, able to deal with confusing issues, and to take into account a variety of situational aspects (Falender and Shafranske, 2007: 234).

Openness to the “ethical viewpoint”. Whether ethics trainings is successful greatly depends on the stage the trainee already finds himself, the measure in which competencies are already developed, and the intellectual resources at his disposal. For example, a philosophical training in critical and systematic thinking, greatly influences the capacity for sound justification. The range of possible trainees can vary from illiterate to highly educated, each with different skills that may show in their ethical competence (Callahan, 1980). This also means that when one has a fully formed, firmly ingrained moral view and simply applies this view to each moral problem, ethics training will be of little use. In order to become ethically competent, the professional has to first of all be open to the ethical development and accept the presuppositions it implies, including what is often called the “ethical viewpoint” (Van Willigenburg, 1993; Borry et al, 2004b). This is the viewpoint usually taken by applied ethicists, and tends to be:

- Normative (it expects a moral answer),
- Anti-dogmatic (refuses arguments from authority or absolute principles),
- Argumentative (decision-making must be supported by sound arguments),
- Inclusive (all parties are taken into consideration)

Accepting an argumentative approach to ethical dilemma's such as for instance abortion, requires to some extent setting aside, for the sake of critical reflection, one's personal feelings with regard to the issue. This is not self-evident nor, for some, an easy or acceptable thing to do. To avoid such impasse, some argue that ethics training requires the trainees to be *primed* to consider the ethical viewpoint, with its strategies, techniques, and related moral values (Cragg, 1997).

Conceptual and theoretical presuppositions. The muscle-perspective presupposes individuals to be able to make their own decisions with regard to moral dilemma's,

and to provide original, valid justifications supporting them. Besides agency, since ethical competencies are seen as tools meant to facilitate ethical reflection and a successful resolution of ethical problems, the autonomy of the agent is clearly central to the approach. Since ethics does not have authority on its own and the ethicist merely informs the moral intuitions and values of the agent, the final decision on a moral issue must always be his autonomous choice. It may be observed that the competencies-approach implies on a theoretical level a form of moral pluralism or limited moral relativism. This is however not necessarily the case. The ethical muscle view encompasses all moral theories that recognize some kind of dynamism in the nature of ethical competence and the possibility to acquire and improve the skills that form ethical competence.

3. Ethical core-competencies

In the previous chapter I have argued in favor of a competencies-based approach, and the benefits of establishing ethical competence in the greater context of professional competence. Ethical competence on itself is too vague a concept to be of any practical use. However, as I will argue, an overly specific articulation of ethical core competencies has other problematic implications. The main issue when discussing and exploring professional ethical core-competencies is thus finding a kind of conceptual balance. On one hand, we need (or want) to define competencies we can work with, not too vague but overarching enough to apply for all professions, and on the other hand their specific moral character must be maintained, avoiding to reduce them to a simple set of narrow skills. When a skill is too highly defined, it does not pertain any longer to a moral issue, and falls under one of the other professional competencies. In this chapter I will attempt to give an approximate overview on the competencies over which a professional *could/should* dispose, while balancing the various conditions for their formulation.

3.1 Conditions for the formulation of ethical core-competencies

There are some general conditions to the adequate formulation of professional ethical core-competencies that should be discussed beforehand. These conditions serve as “doorstops” which should ensure one keeps an open mind and leaves room for the eventual undefinable properties and tacit dimensions of competencies which become manifest only in the workplace.

Avoiding the dwindling effect. According to De Ruyter and Kole (2012), the dwindling effect occurs when “The *moral* quality of professionals as persons is broken down – we could say, deconstructed – into an often extended and detailed list

of rather *general* skills and attitudes that do not express a relation to *specific* moral qualities” (Kole, 2011: 5). Competencies which are reduced to lists of concrete observable skills will in fact lose their specific moral character, and thereby making dwindle what Kole calls “the (aspirational) moral dimension of good professionalism”. In other words, to “listen well” may for example be an important attitude with regard to a moral issue, but if ethical competence is reduced to a bunch of such skills, ethical reflection becomes a procedure leaving little room for the development of new ways of performing ethically, and original ways to approach the problem.⁵ To counteract this effect, Kole (2011, building on Carr, 2000) proposes focusing on a singular wide competence instead of multiple narrow competencies as dispositions. In the first approach, the competent professional would be a person scoring high on a list of detailed competencies, while in the second approach (the one of Carr) he would be more than the sum of these skills, having an overall aim, in line with the ideals internal to her specific profession.

In my view, there is a mid-way between a plurality of narrow skills and one wide competence, namely a small set of wide core-competencies. The caveat in all this however, is to avoid *reducing* one's ethical competence to a list of very detailed, concrete skills, keeping the competencies wide enough to maintain their specific moral character. In order for these new wide ethical competencies them to have some use, they must be specific enough to be trained and taught (by means of practical strategies and the training of thinking skills), and broad enough to apply for any profession and professional. Therefore, it is evident that how competencies such as for example “ethical reasoning” is defined is essential in determining whether it is a nonsense-competency or a fruitful one. A competency is too vague when it becomes synonymous to ethical competence itself, or becomes too similar to other

⁵ Competence entails the ability to do something adequately, efficiently. The concept should thus not be understood so much as expertise (skill) but rather as a prerequisite to function well in a certain environment. While systematic and critical thinking on the moral issue is indeed central to the ethical competence of the professional, this does not rule out the idea reflective, competent practitioners know more than they can 'systematically' articulate. In other words, “They exhibit a kind of knowing-in-practice, most of which is tacit” (Schön, 1991: viii). Therefore, in order to accurately explore and describe professional ethical core-competencies, we must take care to not 'nail them down', for this would mean reducing competence to skill.

professional competencies, such as “behavioral competence”, described by Cheetham and Chivers (1998).

The social-professional nexus. One important condition for the formulation of ethical professional core-competencies is that the formulation only applies for a professional context. Professions receive power and autonomy from society in exchange for accountability and their contribution to the well-being of the society they are part of (Frankl, 1989). The authority and power resulting from the expertise and privileged position of professionals could in fact readily be used for advancing their own goals and interest, at the expense of others. The society-professional nexus ensures the professions “conduct their affairs in a manner consistent with broader social values” (Frankl, 1989: 110). In this thesis I will restrict the discussion to a professional context, and not address the issue whether the professional should be also ethically competent and *ethically engaged* outside his profession. The everyday ethical competence we expect from individuals should be distinguished from the professional one. When does one's professional ethical competence end and his everyday ethical competence start? When does one stop being in his professional role? The society-professional nexus is certainly something that must be taken into account and reflected upon. The competencies-based approach is connected to this issue, since in order to make well-justified moral decisions, and in a sense what *makes* a decision justified is whether it takes into account social well-being.

Ethical strength. When discussing professional ethical competence one necessarily implies there is such thing as ethical incompetence, and as mentioned in the previous chapter, one presupposes the existence of an ethical competence-continuum. I will not elaborate on ethical incompetence, because it is self-evident an ethically incompetent professional is simply a professional failing to see the ethical dimensions of problems and actions, and eventually leading to the great scandals and crisis that made professional ethics relevant in the last century. It makes however sense to discuss the various markers on the continuum: when is a professional *sufficiently* ethically competent? What is the lowest, most basic threshold and what is the *ideal* condition? Falender and Shafranske (2007) mention at one end the

beginner, able to apply the professional ethical rules correctly and conform his behaviour according to the code of conduct, and at the other end of the continuum the experienced professional, able to take into account more variables and aspects, to deal with more confusing ethical issues.

There are no clear-cut zones of expertise when talking about ethical competence, and that no professional is *always* on the same spot of the continuum. Individuals might excel in some competencies and be lacking in others, they might be influenced by personal conditions and the nature of the ethical issue. Some issues may for example be experienced as more personal and therefore harder to objectively reflect upon. Nuances notwithstanding, we may say that professionals at the low end of the continuum will more often fail to see the ethical aspects and complications of problems, and therefore, when put in a position of great responsibility, do the most 'moral damage'. On the other side, the more well-grounded, experienced professionals will be quicker to foresee ethical consequences and implications, and be less likely to cause ethical breakdowns. I will call the degree of ethical competence professionals can have *ethical strength*. Notice that the ones with the greatest professional responsibility and influence are not per se the most ethically strong: sometimes it is just the opposite (as in the case of Goldman Sachs's chief, saying bankers are doing "God's work" and deserve high returns).

3.2 Rest's model and other existing competencies

When discussing ethical competencies, the great amount of psychological research performed in the last decades cannot be ignored. Building on Lawrence Kohlberg's moral psychology, the Four Component Model (Rest and Narvaez, 1994: 23) was developed as a reaction to the confusion arising from the lack of distinction between the various steps of ethical decision-making. This model is meant both as a framework for research, and as a theory of what determines ethical behavior. The four components are:

- i. Moral sensitivity (interpreting the situation)
- ii. Moral judgment (judging which action is morally right/wrong)
- iii. Moral motivation (prioritizing moral values relative to other values)
- iv. Moral character (persisting, overcoming distractions, implementing skills)

Moral judgment is the component the well-know Defining Issues Test (DIT) developed by Rest (1999) and colleagues purports to assess. The components are all connected: Moral sensitivity is key for the individual to identify the possible courses of action, and subsequently to be able to choose the more justifiable (morally right) one. Furthermore, overly simplistic justifications in the second competency lead to a weakening of moral behavior in competencies 3 and 4.

The four components described by Rest and colleagues can be considered the most well-known “ethical competencies” used in psychology (and often borrowed by other disciplines). In academic literature there are many different formulations of these competencies, although the contexts in which they are named differ greatly, and many would perhaps not agree with defining them as competencies. For instance, Rossouw (2001) is specifically discussing *cognitive* competence when naming moral awareness, understanding, reasoning, decision-making, and tolerance. Nielsen (1998) on the other hand, by discerning between systemic morality, moral efficiency, and instrumental morality is referring to *managerial* competence. Moreover, although not always explicitly, professional ethical competencies (Nielsen, 1998; Kavathatzopoulos, 2003) are confused or simply not distinguished from more general everyday competencies (Rest and Narvaez, 1994; Callahan, 1980; Rossouw, 2001; Whetstone, 1998). The following small outline is merely meant as an indication to the great variance in terminology and identified competencies that can be found in the literature on ethical competence.

Table 1: Some moral competencies mentioned in the literature

3. Ethical core-competencies

	Rest & Narvaez (1994)	Callahan (1980)	Rossouw (2001)	Whetstone (1998)	Podolskij (2003)	Nielsen (1998)
Identification	Moral sensitivity	Moral Imagination	Moral awareness	Moral sensitivity	Self Competence	Systemic morality
		Ethical recognition	Moral understanding		Competence in partner	
Reflection	Moral Judgement	Analytical skills	Moral reasoning		Competence in situation	Moral efficiency
			Moral decision making			Instrumental morality
Performance	Moral motivation	Moral obligation	Moral tolerance	Moral imagination		Moral leadership
	Moral Character	Moral tolerance		Moral courage		

While perhaps the most popular, Rest's account of moral competence is thus certainly not the only one. Furthermore, it must not be forgotten the methods and overall approach of researchers in moral psychology is clearly unlike that of applied ethicists. It can be quite confusing to blend research from different scientific angles, especially when terminology coincides. Differences notwithstanding, interdisciplinary dialogue, cooperation, and coordination is most certainly fruitful. In the case of the competencies approach, the pioneering work in moral psychology can function as a framework which can be supplemented with content and meaning by moral philosophy and applied ethics.

The mentioned cognitive, behavioral, and managerial ethical competencies should not be regarded as rival approaches but as complementary: each approach reflects particular needs and goals. While models and terminology might differ among the various accounts of moral competence, some patterns can be identified. As Barbara Ritter (2006) observes, most theorists hold moral awareness (or sensibility) and moral reasoning to be necessary components of moral competence, leading ultimately to competent moral decision-making. These components usually are the ones targeted by ethics education (Ritter, 2006; Callahan, 1980; Rest, 1984; Felton and Sims,

2005). In table 1, all the moral competencies can be approximately categorized in three stages of the moral process: identification, reflection, and performance.

3.3 Four basic professional ethical competencies

As I have outlined in the previous chapter, professional ethical competence is to a set of basic tools, attitudes necessary to adequately deal with ethical issues in one's work environment. Now that the due considerations are made and the necessary conditions mentioned, I will introduce some of the wide ethical core-competencies we might expect professionals to possess and/or develop. As will be apparent from the start, some of the core-competencies strongly resemble and build upon those of the moral-psychological tradition. It is crucial to note that even though the phrasing might be similar and in some cases (moral sensitivity) the name of the competency identical, it is the definition and content behind the name that makes the core-competencies meaningful, in an ethical sense. Moreover, the core-competencies described below are meant to be usable and useful for more disciplines (including moral psychology).

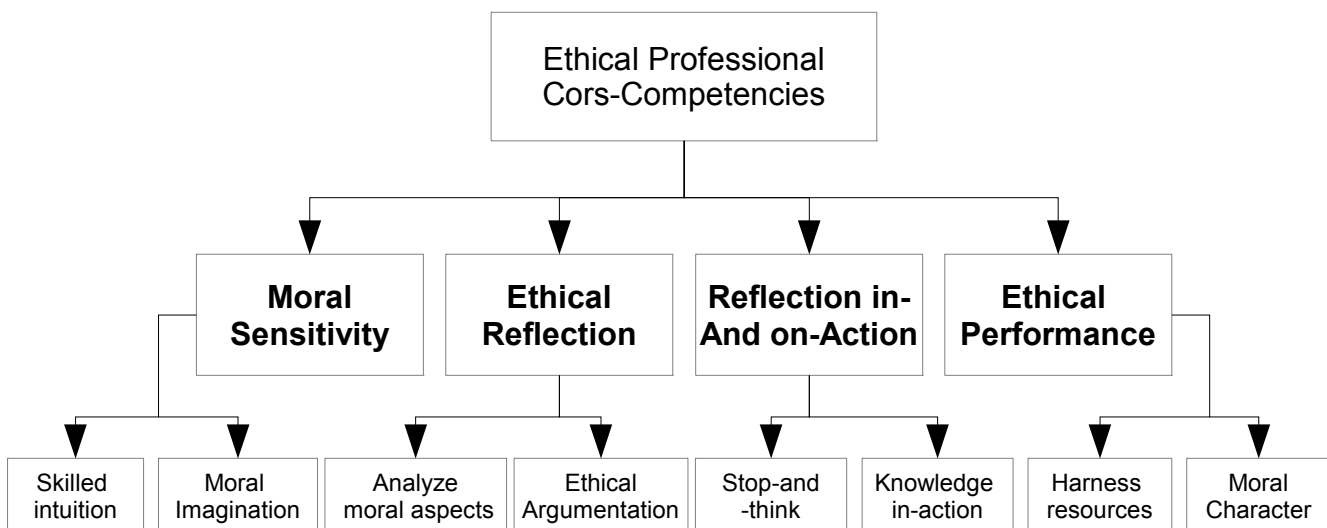


Illustration 1: The four ethical core-competencies and their approximate components

3.3.1 Moral sensitivity

The first core-competency many authors identify, albeit with different terms, is *moral sensitivity*. By some it is called “moral awareness” (Rossouw, 2011), by others “ethical awareness” (Kavathatzopoulos, 2003), but the idea is about the same: to be able to reflect on ethical issues at all, the issue has first to be identified. This requires a kind of sensitivity to the moral aspects of things, an awareness there is more to a particular problem than just its practical implications, and that even these practical implications can have a moral or amoral character. Moral sensitivity is the phrasing of Rest and Narvaez (1994), and is in my view accurate since it is indeed the *moral* aspect one has to identify, and only then apply *ethical* reflection on it. Moreover, 'sensitivity' subtly and effectively conveys the idea the professional always should develop a sort of sixth sense for eventual moral implications, consequences, and dimensions of the issues that arise at work, keep an eye open for complexities hiding behind seemingly simple situations. Moral sensitivity involves a kind of 'gut feeling' combined with professional knowledge, a *skilled intuition*, enabling the professional to 'feel' moral issues where they are not evident or visible. According to Stolper (et al., 2009; 2010) this form of knowledge-based gut feeling, is often used by general practitioners use to assess situations:

“Intuition can thus be explained as the outcome of highly personalized knowledge based processes that may help physicians and nurses deal with the complexity of the tasks they face. We assume that gut feelings in general practice are similar to intuition but more specific as they are confined to prognostic assessments of the patient’s situation, often accompanied by bodily sensations.” (Stolper et al., 2010: 90)

Moral sensitivity is the ability to recognize an ethical issue, conflict, or responsibility, and it is the first step in moral decision making (Ritter, 2006: 157; Felton and Sims, 2005). It is conceivable that an agent is able and even skilled in identifying and interpreting the ethical issue, but unable to work out a justified solution and be stuck in the decision-making process. On the other hand, one might have the analytical skills to succeed in ethical reflection and decision-making, but be unable to interpret

the situation correctly. This is one of the reasons moral sensitivity has to be measured separately and with different instruments than ethical reflection (Clarkeburn, 2002).

To better understand and operationalize moral sensitivity, we can distinguish more sides of it. Callahan (1980) defined moral sensitivity as combination of two abilities, *moral imagination* and *recognition of ethical issues*. Clarkeburn (2002: 440) defined moral imagination as “An ability to see the moral side of the story and [...] to foresee moral consequences of actions”. Imagination is an important ability to mentally run scenarios, to take other perspectives to the issue. Part of this ability is akin to understanding the complexity of the network of values in society (Benjamin, 1999). The ability to “recognize ethical issues” is moral imagination put into action, moral imagination made 'real'. What the agent has 'seen' by mentally running scenarios, becomes a focused awareness of the various ethical variables involved in the situation, a mental distinction between the emotional, amoral responses to the situation and the actual ethical issue at hand. By examining concepts and moral statement one can “distinguish between emotional responses to situations and appraisal of facts, moral or scientific” (Clarkeburn, 2002: 441). One must distinguish the general sensitivity to ethical aspects in everyday live from “a sensitivity to ethical issues embedded in workplace situations” (Weber, 1990: 187). Professional moral sensitivity in fact requires the actor to be aware of more specific issues than the general ability to identify ethical problems. Moreover, the situations for which the moral agent has developed a certain moral sensibility might not be generalizable.⁶ It often seems moral sensitivity is case-dependent: sensitivity in one's professional life does not automatically indicate sensitivity in other areas or professions (McNeel in Rest and Narvaez, 1994; Clarkeburn, 2002). For example, an employee might be skilled in noticing when a business operation is at odds with say, the sustainability principles of the corporation. On a personal level this same kind of moral sensitivity might not show, and the same individual might be leading an unsustainable lifestyle without being *aware* of the ethical implications. At this point, it is not an issue of

⁶ It is therefore crucial to not mistake results from the measurement of moral sensitivity in one profession with sensitivity in other domains and professions. To this end, the instruments must be tuned to the specific situation, such as the Dental Ethical Sensitivity Test (Bebeau et al., 1990) and results not confused.

caring or actually doing the ethical thing, but being sensitive to the existence of an issue.

It would in theory be possible to more finely articulate the content of the concept. Stephen Sherblom (2012), for instance, defines moral sensitivity as a developing dynamic interaction of:

1. A host of developing capacities for morally relevant knowing
2. One's socio-cultural moral assumptions and expressions;
3. One's idio-dynamic ideology
4. One's morally relevant identities and self-understandings;
5. All embodied in one's moral being in-the-moment, the ability to enact one's moral sensibility in each new instance of moral engagement.

As I have argued in the beginning of this chapter, conceptualizing, articulating, and reducing the core-competencies to specific processes can be problematic, and lead to the loss of the moral character of the competency. Points such as those mentioned by Sherblom, and in fact the very points mentioned in this thesis for the various core-competencies, should be read and understood more as 'clues', guidelines to limit the vagueness of the concept. Describing ethical competencies is much alike describing a person with an adjective such as 'handsome': the property is still open to interpretation, but still gives an idea of what that person would *not* look like for most. When too many specific attributes are added (such as 'blue eyes', 'dark skin') something is lost: not everybody would recognize those attributes as following from the adjective. Analogously, the ethical competency will not be overarching enough, but without any properties at all, it would be just another meaningless category.

3.3.2 *Ethical reflection*

It is crucial to properly define the second core-competency, *ethical reflection*, in order to avoid it becoming synonymous of overall ethical competence and lose its functionality as discrete competency. The main point to ethical reflection is that

reasoning tools such as critical and systematic thinking are applied to moral issues. What distinguishes ethical reflection from reflection in general, is on the first place the subject of reflection (moral issues), and secondly its procedure. It is an arduous task attempting to define ethical reflection, and in doing so a certain degree of ambiguity must be accepted. This does not mean we cannot say anything at all about it, and think about why and how it is relevant for professionals.

When through moral sensitivity the moral issue is identified, and the non-moral aspects are separated from the moral ones, one weighs and evaluates the various ethical perspectives, values, and principles to determine one's stance (Ritter, 2006: 157; Pettifor et al, 2002; Rossouw, 2002). Tools such as theories, concepts, principles, and models can aid to critically assess the situation and achieve the necessary clarity to make a well-justified moral decision. Clarkeburn (2000) describes four central cognitive skills that compose ethical reflection (or moral reasoning):

1. Analyze the moral aspects of a situation,
2. Differentiate the significant from the insignificant,
3. Foresee the moral consequences of actions, and
4. To make moral decisions, in particular when it is necessary to compromise between irreconcilable values.

It is not necessary to understand ethical reflection as composed by exactly these steps, nor to identify such specific steps in the process. Just like competence in ethical reflection comes about by studying different theories, perspectives, principles, arguments, and fallacies, the most adequate notion of ethical reflection we can have is composed and informed by a range of different definitions and considerations.

The moral decision consists in judging which line of action is the most 'ethical' and justifiable. Phrased negatively, as Rest and Narvaez (1994: 24) put it: "Deficiency in Component II [i.e., moral judgment/reasoning] comes about from overly simplistic ways of justifying choices of moral action. For example, acts of terrorism justified in

terms of revenge for previous wrongs may be shortsighted.” Ethical reflection must thus not be confused with one's own subjective convictions about why life is valuable and where its value exactly lies (Dworkin et al, 1997). While it is evident this plays a great role in determining one's preferred course of action, ethical reflection is about making a *well-justified* ethical decision, one that, especially in a professional/social context, others can relate to, understand, and approve. Reflection on moral issues and decision making based on ethical reflection is thus not a matter of preference: it involves sound, rational moral argumentation. Of course, as stated in the first part of this thesis, this presupposes the relevance of rational argumentation with regard to moral issues and an acceptance of the “ethical viewpoint” (Borry et al., 2004b).

3.3.3 *Ethical reflection-in- and on-action*

Donald Schön, in his influential “the Reflective Practitioner” brought new insight on how professionals think in action. His understanding of reflection-in-action can, in my view, neatly be applied to an ethical context, and considered one of the core-competencies for professionals. The reflective practitioner, says Schön, “approaches the practice problem as a unique case. He does not act as though he had no relevant prior experiences; on the contrary. But he attends to the peculiarities of the situation at hand” (Schön, 1983: 129). Because each case is treated as unique, standardized theories, rules, and techniques cannot simply be applied. When confronted with a new situation, the practitioner must as it were “construct and understanding of the situation as he finds it” (Schön, 1983: 129). The kind of reflection-in-action on unique, undefined situations and creativity in re-framing the problem Schön describes is a capability that can be extended to the professionals ethical competence. Re-framing the problem does not automatically lead to a solution, nor does the practitioner know the re-framed problem will be soluble. The point of re-framing is to re-arrange the factors in a way the professional can work with. Moreover, “the frame (the practitioner) has imposed on the situation is one that lends itself to a method of inquiry in which he has confidence” (Schön, 1983: 134).

Generally speaking, the reflective practitioner, as described by Schön (1983), is characterized among other things by the ability and willingness to:

- Actively reflecting and explicating one's actions and the motives behind it.
- Making tacit knowledge explicit.
- Testing the correctness and justifiability of underlying preconceptions.
- Reflecting on whether the intervention was effective.
- Seeks feedback with colleagues, and is open for scrutiny.

Specifically, ethical reflection-in-action is the ability to re-frame the problem we are confronted with, while we are working on it. The process of re-framing does not come about by trial-and-error, but through the conscious reflection on the situation, the basic assumptions and values that lead to the problem. When one reflects-in-action with regard to ethical issues, he is not dependent on existing categories and theories, but creates as it were a new theory for each unique case.

There is a second stage to professional thinking in action according to Schön, namely reflection-on-action. This consists in the reflection on one's own process of re-framing and dealing with the problem. The purpose of this activity is comparable to the very purpose of reflection, as Dewey puts it: "To reflect is to look back over what has been done so as to extract the net meanings which are the capital stock for intelligent dealings with further experiences." (Dewey 1938: 110). Reflecting on action enables us to find out how our "knowledge-in-action", our intuitive, tacit knowledge has contributed to an outcome that was not and perhaps could not be expected beforehand. This reflection may take place after the problem has been solved, the moral issue untangled, or the moral decision taken. But it is also possible to, as Hanna Arendt (1971, in Schön, 1983) puts it, "stop-and-think".

"Even when the action-present is brief, performers can sometimes train themselves to think about their actions. In the split-second exchanges of a game of tennis, a skilled player learns to give himself a moment to plan the next shot. His game is the better for this momentary hesitation, so long as he gauges the time available for reflection correctly and integrates his reflection into the smooth flow of action." (Arendt in Schön, 1983: 279)

Just like the tennis player, a competent professional can train his ability in dealing with ethical issues in such a fashion he briefly looks back and reflects on the problem and made decisions, re-frame the situation, and come up with new solutions and unexpected outcomes. We will see in the third chapter of this thesis how crucial this kind of readiness is for youth care professionals.

3.3.4 *Ethical performance*

Ethical competence goes beyond identification and reflection: perhaps the most problematic stage for most is *performing ethically*. The fact a professional is capable of identifying the ethical issue and justifying a choice with regard to a given case, does not mean this moral choice will have priority on other values when the case presents itself in real-life. This is the so-called “judgment-action gap”, a jump many will hesitate to make under certain conditions (Blasi, 1983; 1980). To put it differently, according to many moral psychologists, Plato's claim that “to know the good is to do the good” is empirically unsubstantiated (Frimer and Walker, 2008: 334). What is often called the “moral character” of a professional is put to the test when he understand which are the ethically justifiable courses of action, but the pressure to do otherwise is high. An employee can for instance close an eye on an unethical practice of his superiors out of fear of losing his job, and even a leader can set aside his moral judgment to not antagonize partners, investors, or stakeholders.

After the first decades of Kohlberg's research in moral psychology, a paradigm shift took place that led to the univocal recognition a holistic, adequate account of ethical choice and moral person-hood requires one to look beyond the sole factor of moral cognition (Frimer and Walker, 2008). The moral motivation Kohlberg failed to encompass was in the last decades confronted and associated with notions such as the moral self and identity (Blasi, 1983; Hardy & Carlo, 2005). It is however not uncommon to see even today in applied ethics authors completely shun the judgment-action gap issue. Theories and approaches that manage to bridge the space between moral thought and action, without taking the radical deontological road or the purely virtuous one, are hard to find. In applied ethics it may very well be a requirement to at least address the issue, simply investigating 'the ethical' and facilitating ethical

reflection is quite futile if the reflection does not lead to some kind of ethical improvement in the professions. In other words, professionals must be able to relate to professional ethics, and put it to good use.

Ethical performance is a competence in the dictionary sense of the word since it is characterized by the measure in which one actually adequately and efficiently acts in accordance with one's ethical reflection. Even in the Four Component Model, good moral sensitivity and judgment does not automatically lead to good moral character. Moral values can be set aside in favor of other values and priorities. Rest and Narvaez (1994) argue for example that Hitler found the Reich to be more important than “bourgeois morality”, and did completely compromise moral values. This is not an uncommon phenomenon, in the banking and investment business, for instance, revenue and expansion often claim priority on moral scruples.

Moral courage can be seen as being part of ethical performance. This is the ability, drive, or willingness to follow the course of action that upon reflection has been deemed to be the most “ethical”. Potential threats to one's career or interest do not overshadow or outbalance the ethical considerations. Skerka (et al., 2009) and colleagues parsed moral courage and identified the following components:

- i. Moral agency
- ii. Use of multiple values (to determine the best course of action)
- iii. Enduring threat
- iv. Beyond compliance (not limited by rules to determine what is right)
- v. Moral goal

Some of these components we find in the other ethical professional competencies described in this chapter. Let us remember however that these competencies and their attributes are not necessarily fixed or compartmentalizable: properties and specific skills often overlap. The second theme named by Skerka, “Using multiple values”, is for example an important part of all competencies: from the identification of the moral issue to the actual ethical performance, caution is advisable in discarding

3. Ethical core-competencies

values and perspectives that are considered “not valuable” enough to be taken into consideration. Part of ethical performance is the ability to effectively harness all the (ethical) resources at one's disposal. By ethical resources is meant existing ethical codes, codes of conduct, principles and values of the organization/firm/corporation and of the profession, ethics committees, colleagues experienced with ethical dilemmas, academic writings, past documented cases.

4. Competencies in practice

In this chapter I will illustrate how the professional ethical core-competencies manifest in practice, using youth care in the Netherlands as an example.⁷ I will restrict the discussion to those aspects of the profession that are relevant to the elucidation of the subject at hand, and therefore not attempt to formulate or analyse profession-specific competencies or virtues. There are also many indirectly relevant aspects of youth care I will not discuss, since this might hinder the clarity of the demonstration. For instance, the motives professionals may have to work in youth care, or the opinions on the overall goals of youth care, are very interesting and ethically relevant subjects, but do not *directly* pertain to the competencies discussion. Youth care is a fitting example for illustrating the ethical competencies in practice because it involves a wide range of professionals active in diverse fields. Aside from the youth care workers themselves, in fact, nurses, paediatricians, teachers, guardians and others play a role in the *care* of the child.

The purpose of this chapter is testing the theoretical normative claims outlined in the previous chapters with the normative claims coming out the practice itself, voiced out by professionals active in youth care, described in the guidelines and codes of the Dutch institute for youth care. For the ethical competencies to make sense, they must in fact be recognized as important by professionals with actual experience in dealing with ethical issues, and specifically with ethical issues related to youth care. The encounter between the theoretical normative and the practice normative is important because it counteracts the disadvantages of both a purely top-down approach and a bottom-up approach, aiming for a balance that can satisfy both sides.

⁷ Since it is not directly relevant to this research, I will not dedicate space to describing the goals and structure of youth care in the Netherlands.

Kole (et al., 2012) enlists a series of virtues professionals need to cope and deal with child abuse (courage, compassion, empathy, trustworthiness), in a virtue-ethics approach not unlike the one discussed earlier of Musschenga (2009). While possessing the mentioned positive traits or virtues is surely beneficial in such a work environment, the ethical core-competencies suggested in the previous chapters are basic assets that take precedence on any virtue. The professional ethical core-competencies might in fact not make of the youth care worker a *good* professional, but they make of him a *competent* professional. Once these basic competencies are mastered, virtues could and should follow, but the point is: the professional has the tools to do his job.

In the next section I will present, for each professional ethical core-competency, few examples of how these competencies apply in practice. Again, the following lists has a purely illustrative function. In other words, it is not meant as an exhaustive, detailed representation of ethical competence in practice, but as a practical guideline to understand the four core-competencies. The ideas, examples, and notions discussed have as main source (aside from where referred to literature), interviews held by Mariëtte Van Den Hoven and Jos Kole with several experts and workers in the field of youth care. Some of the interviews are collected and discussed in “Goed aangepakt: gesprekken over beroepsethiek bij kindermishandeling” (Kole and Hoven, 2012) others will be used in a future publication on professional ethics and youth care (Hoven, personal communication, 1 June 2013). Apart from the interview data, I will make use of official documents issued by the Dutch institute for youth care (NJI) which describe what is expected from youth care workers (Zwikkers et al., 2008; 2009; Hermanns, 2008). Both are sources from *within* the profession of normative statements about what a competent youth care worker ought to do and take into account.

4.1 Moral sensitivity

Skilled intuition. The most evident instance where the ethical competency of moral sensitivity manifests itself is in the most crucial task of the youth care worker or any professional working with children: the detection of any form, light or heavy, of child abuse. Some forms of abuse, such as heavy physical violence, are already established in society as problematic and in these cases little reflection is needed to warrant intervention: the damage to the child is just obvious. Detecting undefined morally problematic issues, and more subtle forms of abuse requires more than eyes (Hoven, personal communication, 1 June 2013). As discussed in the previous chapter, the well-known feeling “something is not OK” is described by Stolper (et al., 2009; 2010) as a knowledge-based gut feeling, enabling professionals to detect moral issues even when the information and evidence is little.

As Kole (et al., 2012) observes, child abuse is a social construct: what we mean by it is related to society's norms and values. From this does not follow that no lines can be drawn, nor that anything can be deemed child abuse. Within each society there is a common agreement on what is considered abuse. Being morally sensitive in this context means also being able to discern between morally problematic violence and violence that remains within the boundaries accepted by society and rights of the educators. Not confusing one's own moral sentiments and one's professional tasks begins with detecting behaviour that goes beyond not one's own moral standards but the ones agreed upon in society.

Prevention. Intervening, in case of case abuse, before the abuse can take place, or acting in general before a problematic situation escalates, is an an onerous issue. Hermanns (2008) sketched a care-continuum, featuring various forms of prevention, from universal (targeting all parents and guardians on a national level) to intervention by early signals of abuse (targeting specific families struggling with problems characterizing as predictors of child abuse). For the individual professional it is a different matter than *detecting* a moral issue, since the issue is not really there yet.

But since some moral issues (such as child abuse) are well known in western society and more or less defined in their features and manifestations, the professional can predict what is coming and focusing on prevention (Hoven and Kessler, 2011). Not unlike seeing the pieces of a puzzle and intuitively having a surmise of what the full picture would look like, the youth care worker can work on each piece and change the course of events for the family. The role of “moral imagination”, discussed in the previous chapter thus plays an important role in the prevention of established, well-known moral problems, and offers opportunities for their resolution.

4.2 Ethical reflection

Chain-cooperation. The very strength of professionals, namely to analyse, interpret, and bring solutions from their own professional specialized angle and expertise, can be a double-edged sword. As mentioned earlier, the surgeon can fail to see the abused child behind an injury, and an overly technical focus on the somatic side of an injury can make blind for the psycho-social aspect. Cooperation pertains not just to the facilitation of detection but also to the broadening of points of view. In other words, the ethically competent professional is expected to look beyond the own professional perspective and consider various angles (Kole et al., 2012). The diversity of perspectives necessary for an adequate and efficient ethical reflection can thus not be obtained by working alone. In youth care, one of the most frequently named things is the importance of cooperating, helping and questioning each other among colleagues (Hoven, personal communication, 1 June 2013; Struijs, 2009; Kole et al., 2012). Professionals in all fields related to youth care are said to be “links in a protective chain”, with as main goal the safety of the youth.

The cooperation between these links is not only important to facilitate the detection of moral issues, but also to deliberate on the issues themselves. For the professional to be competent in ethical reflection he should therefore consider arguments from various parties and engage discussion about the issues, even when no action or intervention is required. The importance of collective moral case deliberation lies not

just in the increased quality of the result (as mentioned earlier, a group of individuals has a greater chance to secure a more stable position in the far-end of the competence-continuum), but also because individual reflection is 'narrow' by definition. A professional that does not enter into dialogue with colleagues cannot be critical of his own view nor collect the different perspectives he needs to properly analyse the issue.

Confidentiality duty and right to report. An onerous issue in youth care is the conflict that can arise between the duty of confidentiality toward the client and the need to report suspicions of child abuse. Confidentiality is key to maintaining the relationship of trust between social worker/doctor and the family, protect the privacy of the client, counteract the withholding of information (Hoven, personal communication, 1 June 2013). The strictness of the oath of secrecy makes it hard for the professionals involved to collect and exchange information in case of suspected child abuse, and heightens the risks when such suspicions turn out to be unfounded. The “reporting code”, introduced in 2008,⁸ has lowered these risks, making it easier for professionals to call upon a protocol and “right to report” when infringing the oath of confidentiality. As Kole (et al. 2012), notes, such infringement must be justified in terms of *professional-ethical motives*. Such justification is meant to counteract abuse of the reporting code.

Partiality. The professionals partiality toward the client (the child in the first place) becomes more complex and multifaceted in some cases, such as with regard to the approach to child abuse. Having the right attitude and behaviour toward the (supposedly abused) child *and* toward the parents is of great importance for several reasons. Firstly, the most effective way to help the child is through the parents, and secondly, the parents are also to be considered clients a youth care professional is there to serve and assist (Kole et al., 2012: 98). A balanced attitude, that is, taking into account the various parties and avoiding unjustified bias toward one party, is part of ethical reflection because the former must reflect the other and vice versa.

⁸ KNMG-meldcode. <http://knmg.artsennet.nl/Publicaties/KNMGpublicatie/Meldcode-kindermishandeling-en-huiselijk-geweld-2012.htm> (accessed 19 June 2013)

Providing assistance to various, sometimes conflicting parties at the same time is confusing and requires great skill, especially when the outcome of the reflection must be well-balanced and justifiable for all parties, including the youth care organization the professional is part of (Hoven, personal communication, 1 June 2013). Switching between the role of responsible for the welfare of the child, the role of professional and employee of an organization, the role of person with his own opinions and values, should not disorient the ethically competent youth care worker and lead to biased judgements (Zwikker et al., 2009).

Balancing care with possibilities. The task of the youth care worker is to provide the best aid to *both* child and his guardians.⁹ This might however sometimes impossible to realize. Differences of opinion with regard to what the best approach in particular situations would be can make it hard to involve all parties (child, educators, other professionals) in the care taking. The youth care worker must thus find the right balance between providing the best possible care and the possibilities or options he has to accomplish this, in terms of motivation (of the various relevant parties) and resources (Zwikker et al., 2009). Balancing is a key word also in the ethical reflection that takes place in these situations, where the “most ideal” outcome is not always the one that can be performed, and the reflection has thus to be adjusted in accordance with the possibilities.

In the Giovanni-case, a home-maker with the task to help with financial and housekeeping issues, unsatisfied by the measures taken by youth care, decided to 'kidnap' the (supposedly abused) child and deliver him to the police.¹⁰ Regardless of whether this drastic intervention was warranted or not, and whether the changes it brought were beneficial for Giovanni and his mother, there are obviously a number of issues that call for reflection (Hoven and Kessler, 2011). Was the decision impartial?

⁹ This task is more fully described in the document “competentieprofiel jeugdzorgmedewerker” issued by the Dutch institute for youth care, www.nji.nl (accessed 7 June 2013)

¹⁰ For the whole Giovanni-case see the article “een verwaarloosd jochie van 8 jaar”, www.volk-skrant.nl (accessed 14 June 2013), and the article of Jos Kole in “Preventie en Ethiek” (Hoven and Kessler, 2011)

Did it balance care with the possibilities? Is it ethically justifiable? Does it take into account all perspectives? Does it prevent abuse in the most respectful way?

4.3 Reflection in- and on-action

Correcting information. On paper information can start to distort and lead a life on its own. It is important for all youth care workers to get the chain of events and interpret the situation right (Hoven, personal communication, 1 June 2013). In order to do this it is crucial to have a certain degree of flexibility when handling cases. Problem families will often keep correcting the interpretation of workers, by saying “this is not how it happened” (Hoven, personal communication, 1 June 2013). The youth care workers will then have to discuss together with the family the hidden values behind the information, what it means, what role it plays in the greater picture.¹¹ Reflecting-in-action, quickly adapt one's perspective in accordance with new information, during conversation and in situations requiring fast thinking is important because it avoids tunnel-vision and unproductive, static thinking.

Thinking out of the box. A recurring issue in youth care and especially the cooperating-part of the field is the externalization and shoving of problems on other professionals or institutions (e.g., schools, law enforcement, local and national youth care institutions). When professionals from diverging institutions or with different backgrounds discuss a youth care related problem, everyone has sometimes the tendency of expecting others to “think out of the box” (Hoven, personal communication, 1 June 2013). As discussed earlier, one of the benefits of inter-professional cooperation is that everyone sees the issue from a different angle. This may lead to a more holistic understanding of the issue, but may also lead to forcing one's own perspective on others, expecting them to step out of the box, see and approach the problem from one single 'superior' point of view. When sitting together

¹¹ The issue of information about cases being distorted and misinterpreted when written down or read is named among others by professionals working with the “Bureau Jeugdzorg Amsterdam” (Hoven, personal communication, 1 June 2013)

at the table, all the professionals involved do need the ability to think out of the box, and understand, consider the situation from the perspective of others. This requires a degree of openness and understanding which may be seen as being part of the professional ethical core-competency of ethical reflection.

The ability to think out of the box works both ways: it entails the ability to effectively show the other one's own box. In the practice of youth care, this is most important not only, as aforementioned, when cooperating and communicating with other involved professionals, but especially when communicating with the involved parents of the children. When the decision has been reached the child/case should be forwarded to youth care institutions or more drastic measures have to be taken, the professional must be capable to effectively transmit the motives and reasons underpinning such decision. This is not merely a matter of communication, but also a matter of understanding the perspective of the parents and using this perspective to elucidate another.

Privacy and transparency. It is increasingly important for youth care workers to make their work and results transparent.¹² In order to ameliorate the quality of care it is necessary the whole process is documented in detail and the bottlenecks exposed (Hoven, personal communication, 1 June 2013). This reflection on-action is important not only for the youth care worker himself, but also for colleagues, for what defines professional practice, according to Schön (1983) is the ability of professionals to look back and reflect on action in order to engage in a process of continuous learning. Also society at large can benefit from this documentation and transparency, so that citizens can reflect on the various youth care cases (not just the scandals) and improve their ability to recognize child abuse and problematic situations. On the other hand, also due to the importance of building and maintaining a relation of trust with the client, the youth care worker has a certain duty to protect their privacy. Again being ethically competent in this case means finding the right balance between accountability/justification/transparency (enabling reflection on-

¹² This task is more fully described in the document “competentieprofiel jeugdzorgmedewerker” issued by the Dutch institute for youth care, www.nji.nl (accessed 7 June 2013)

action) and disclosing sensitive information when not directly necessary (Zwikker et al., 2009).

4.4 Ethical performance

Discernment ability. Many of those working in youth care would agree that knowledge about the various signs and forms of child abuse is essential (Kole et al. 2012). To exude confidence and competence, thereby reassuring the child and parents they are being understood and taken seriously, is related to this knowledge (Zwikker et al., 2009). Harnessing ethical resources, mentioned as being part of performing ethically, is in youth care a matter of knowing and understanding the various moral views clients might have. Elucidating the difference between what is 'normal' and 'not normal' (and the reason intervention from the part of youth care is warranted) is in fact a key aspect of the profession. This distinction, related to the “justification duty” discussed earlier, should not be clear just for the clients, but especially and firstly for the youth care worker himself, the other professionals involved, and society. While handling and analysing the various moral views and ethical knowledge is of course more a matter of ethical reflection, the information is collected through a combined moral sensitivity and ethical performance. The overlapping of professional ethical core-competencies is even more evident when we think of the knowledge-in-action described by Schön (1983), which integrates with moral sensitivity and the harnessing of ethical resources to result (ideally) in a holistic overview of all the relevant moral variables. The ability to discern 'normal' from 'not normal' in moral terms is related to what I have often referred to as the “moral luggage” of professionals. Each individual carries his own ideas, education, opinions about moral issues and this influences his ethical competence and performance. For the youth care worker as well it is therefore important to be aware of his own embeddedness and perspective.

Justification of the care. Justifying and reporting on the offered care and the results of the intervention are important aspects of the profession. To ensure the quality of

the care progress and results should be transparent and intelligible. Reflection on the moral issues identified is partly a thing the professional does for himself and partly something he does in dialogue with the clients (Zwikker et al., 2009). Therefore it is essential to adequately and accurately being able to voice out and present the various arguments and steps in the ethical reflection, making it a more open and intelligible procedure.

Pressure and fear. Making choices, especially moral ones, can lead to much uncertainty and insecurity among youth care workers (Struijs, 2009). Aside from the fact they will be held responsible by society and law for eventual damage clients can incur, balancing conflicting, sometimes irreconcilable values and priorities leads to much distress. In youth care perhaps more than in other professions, moral questions are omnipresent and taxing. When is intervention in youth care warranted? How can one make high-impact decisions with little information? Where should one draw the line between personal moral convictions and professional ones? As Struijs (2009) observes, expectations are high with regard to the professionalism of youth care workers. The pressure comes from the top (stricter policies), from outside (society), and from inside (struggle for professional autonomy). To counteract this pressure, professionals active in youth care need some degree of moral legitimacy, an ethical and legal framework to support them, and to overcome the fear to cause damage and to receive damage (Hoven and Kessler, 2011; Kole et al., 2012).

Interpreting the situation of the child incorrectly, unfairly accusing the parents, being confronted with the misery and woes of child abuse, putting one's own career in jeopardy, risking law suits, of putting the child in even more danger, are only few of the fears making ethical performance for professionals involved in youth care difficult (Hoven, personal communication, 1 June 2013). Since ethical performance is considered a competence, and not a virtue nor an intrinsic personal trait, whether a professional is performing ethically has nothing to do with his emotions, intuitions, virtues. Moral decisions and motives have always to be explicated and justified with reflection, therefore, the only way for a professional to be adequately competent in his ethical performance is to actually do what, upon reflection and all things

considered, appears to be and can be justified as being the right thing to do. The feeling “something is wrong” can be very valuable at the beginning of the process, intuitions and emotions can play a role in the competencies of moral sensitivity and reflection-in-action, but should not surpass the other core-competencies and be a direct motive for ethical performance. The main reason for this being the risk the reflection and its outcome is biased toward one perspective.

4.5 The Cheetham-Chivers model revisited

The list of examples outlined in the previous section is in no way meant to be exhaustive, and has a purely illustrative function. Furthermore, the ethical core-competencies and how they manifest in practice should not be understood separately from the Cheetham-Chivers model (Appendix 1) described in the first chapter. Since this model knows more forms of professional competence, of which ethical competence is just one, it should be evident that abilities such as planning, organization, collegiality, are certainly part of one's professional work environment, but are classified in Cheetham and Chivers's model, as cognitive and behavioural competence. Moreover, there are some more general competencies that are not mentioned in the discussion about professional ethics because they are considered more overarching meta-competencies, for example communication, creativity, learning. Another crucial thing to remember is the place and function of ethical competencies is determined by the professional context: the model is not meant to illustrate everyday ethical competence or moral character.

According to Musschenga (2004, 2009), “communicative virtues” such as transparency, honesty, and openness are part of a person's ethical competence. However, Musschenga is describing the *integer person*, and not the *competent professional*. Analogously, Molewijk (et al., 2011; 2003a) also often mentions communication as an important moral competence, especially in moral case deliberation. As we have seen in the example of chain-cooperation in youth care, communication styles do indeed influence the process of ethical reflection, but the

point is, communication influences every aspect of professional life, thus is classification as a meta-competence. In this picture, contrary to moral sensitivity, reflection on ethical issues and others, communication is thus one of the amoral overarching mediums. Needless to say the competency model would look different if it would not pertain to a professional sphere. The illustrative examples of this chapters and the ethical competencies themselves should therefore be understood in their proper context, as a normative exploration of what is expected from a professional, ethically speaking, according to both theory and practice.

5. Conclusion

I began this research by outlining the concept of competence, the framework surrounding ethical competencies, the underpinning presuppositions holding it into place. I have used the work and model by Cheetham and Chivers (1998) as the theoretical context, supplementing its content with insights and notions from both moral psychology and professional ethics. In the second chapter I have suggested, in an effort to integrate different perspectives, disciplines, and studies, four basic ethical competencies covering most of the “ethical activity” of professionals. Further research is required to corroborate these categories, and of course test the meaningfulness and validity of the competencies-based approach itself. In the third chapter I have shown how the ethical core-competencies manifest in professional youth care, taking information, inspiration, and examples from various sources (the main being unreleased interviews performed by M. van den Hoven and J. Kole for an upcoming publication).

This research is a call for *structure* and *accessibility* in professional ethics. Structure is obtained through interdisciplinary cooperation, making real use of psychological research and other descriptive sciences to understand the nature of ethical reflection, and the experience of education and business studies (with concepts such as reflective practice and professional competence). The competencies-based approach integrates existing structures and insights, making the origin, meaning, and context of professional ethical core-competencies far less controversial and serendipitous than traditional virtues. Accessibility is obtained by considering a different approach: professionals are not expected to possess certain traits or virtues (responsibility, commitment, loyalty...) but are expected to train certain competencies (moral sensitivity, ethical reflection...). This is not to say virtues are not real or relevant, but from a practical, professional perspective, it is far more efficient and realistic to demand from a starting professional to be ethically competent (and master the

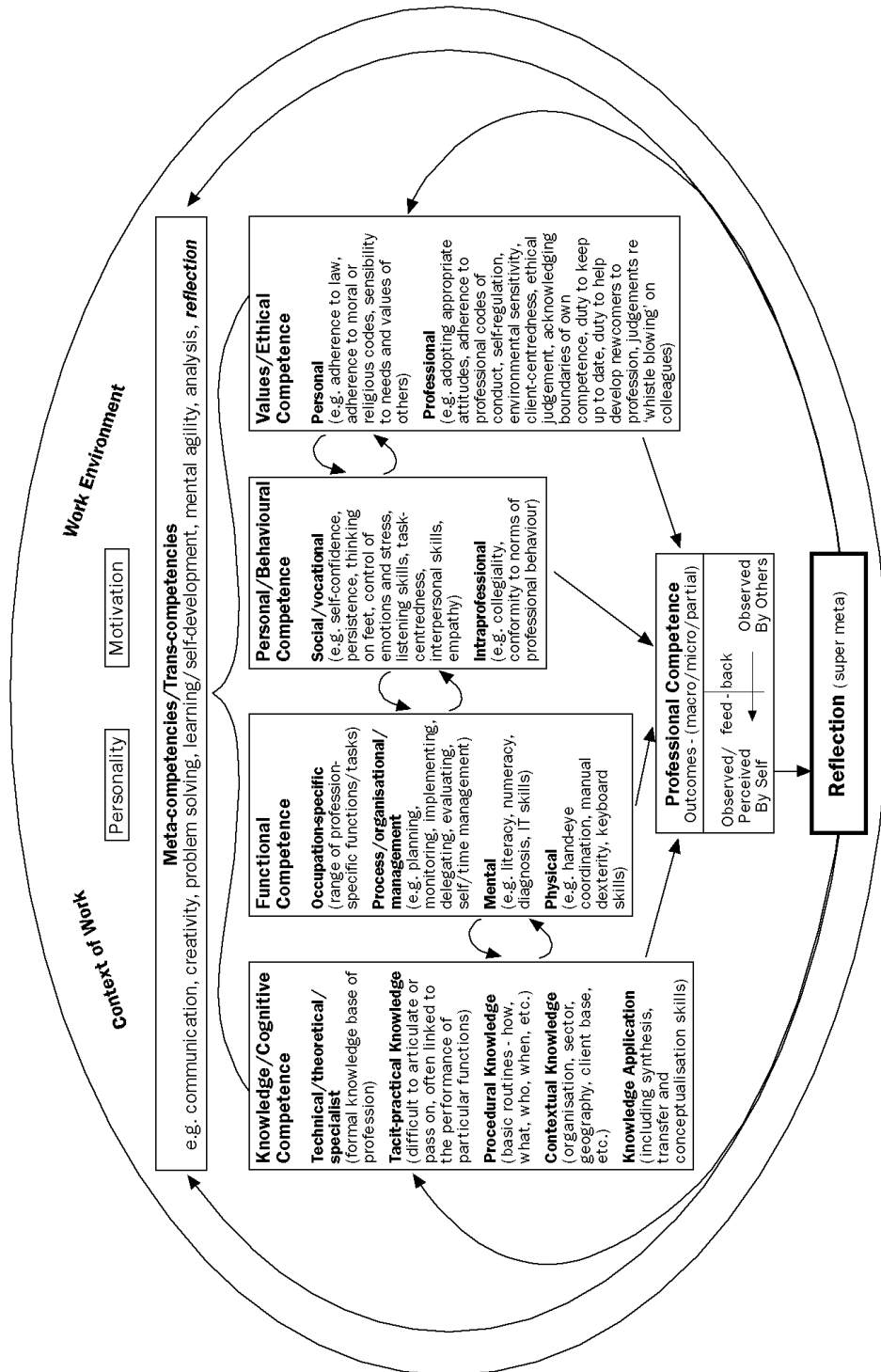
suggested competencies) than demanding him to be virtuous (and possess a range of virtues he has no idea how to acquire). The difference lies in the fact professionals will have a base and tools to develop *any* virtue that may be appropriate and beneficial for their specific profession. All professionals are in some way expected to be competent, in a cognitive, functional, personal, and ethical sense: these are overarching expectations, true for any profession. Virtues such as 'responsibility' may also always be required, but they are part of a long list of profession-specific attitudes that we expect 'good professionals' to have.

In other words, a competencies-based approach to professional ethics has the great advantage of making it clearer what exactly is expected, ethically speaking, from professionals in all fields. The result is not a picture of what the 'good' professional would look like, but of what a 'competent' professional is expected to know and do with regard to ethical issues. This is merely the beginning: professional ethical core-competencies are meant as the foundation from which profession-specific virtues and skills can be developed. The main point is that identifying, reflecting, and dealing with ethical issues is something we can train and develop (just like a muscle!), the same way we do with any other professional competencies.

It is my contention that *if* we are searching for consensus, we better step back and look for it in more fundamental, basic professional ethical competencies, instead of attempts to define undefinable character traits. It is my hope future studies in applied ethics will be less declarations of opinions about what a professional needs to be or do in order to be 'good', and more collective efforts to work on a common ground that may serve as reference point for the advancement of the discipline. It is my belief that once such a stable foundation is set in place, in all professions there will be space and freedom for all kinds undiscovered and undefined virtues to flourish.

Appendix 1

Revised Cheetham-Chivers (1996) professional competence model



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