

Deontology and Psychology : From Deontological Thought to Professional Practice

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RÉSUMÉ

La psychologie espagnole se réclame d'une longue tradition de considérations déontologiques. Cet article décrit le processus de développement des normes déontologiques pour la pratique de la psychologie en Espagne. Les aspects normatifs et déontologiques de la place de la psychologie dans la « Société du bien-être » sont également considérés. Dans le cadre européen existe un mouvement vers la construction d'un « méta-code », résumant les principaux généraux, qui trouve une expression opérationnelle dans les codes nationaux. Enfin, les spécificités déontologiques de la psychologie clinique sont considérées.

SUMMARY

Spanish psychology has an established tradition of deontological considerations. This paper describes the process of developing ethical standards in Spain for the professional practice of psychology, as well as some normative and ethical considerations relative to the place of psychology in the « Well-Being Society ». Within the European context, there is a movement to construct a meta-code, including the general principles that national codes develop in more specific norms and proposals. Finally, the singularities of ethical standards for the practice of clinical psychology are considered.

Mots clés :

Normes déontologiques,
psychologie professionnelle,
psychologie clinique,
Espagne.

Key words :

Ethical standards,
professional psychology,
clinical psychology,
Spain.

Ever since BENTHAM, deontology is the science of duties or the theory of moral norms. Deontology is an empirical science that studies the determination of duties within social circumstances, and also, as FERRATER (1941) points out, an indication of the duties incumbent to the ideal of the greatest possible pleasure for the largest possible number of individuals. The science of what *should be* completes the science of *being*, as regards a framework of constructive development, tending towards its possible ideal within a certain social context. We can consider that deontological reflection shows the way by which praxis develops towards an ideal : to « do » deontology is to contribute to achieving the developmental ideal of a science, in its applications to serving humanity.

Psychology is a young and problematic science. Deontological outlines can contribute to constructing a psychology in the service of human beings, on both practical and theoretical levels. Deontology is not at the service of professionals unless they make the effort to refer to a norm of excellence. The main function of deontological reflection and praxis is to construct scientific and professional psychology.

Psychology, as a science, wanders around the frequently imprecise limits of its object. Psychology, as a profession, never ceases to affirm its existence through an insistent praxis which perhaps too often has tended to favor exercise over ends. With barely one century of development, it may be premature to require epistemological maturity from psychology, and serenity from psychologists, faced with the constant theoretical and methodological lacks revealed by the variety of demands emerging in the context of their practice.

Psychology has had to make its way from the demand environment which has required its action, creating practice before theoretical models to support it. Spanish psychology's recent history is a good example of the constant pull that practice exerts on theory and method. Would it be farfetched to say that psychological theories are invented to offer a possible justification for practice? From craft one can derive art as well as technology, but probably these alternatives will lead to the different models of the well-being called for by Bentham.

Brief History of Deontological Outlines in Spanish Psychology

Preoccupation with deontological questions appears early in Spanish psychology, though the first documents appear towards the late sixties, specifically in 1968. Within the framework of the *Asociación Sindical de Psicólogos* (Syndical Grouping of Psychologists), since vanished, some « Outlines and Norms of Deontology » were then drawn up. This compilation influenced that drawn up shortly afterwards by the *Sociedad Española de Psicología* (SEP) (Spanish Psychological Society). The SEP, a unique and pioneer association that joined the promotion of scientific and professional initiatives, developed two documents. The first was in 1970, when the Psychological Pedagogy and Professional Guidance Section, encouraged by GARCÍA YAGÜE, among others, prepared some « Deontological Norms for Psychologists in School and Professional Guidance ». The SEP as a whole, in the general assembly of April 27, 1974, approved the provisional draft of some « Deontological Norms for Psychologists », with a view to a later debate and re-elaboration, which never took place.

In a more specifically professional framework, at the First Meeting for Psychologists of Catalunya (March 1977), a « Deontological Code » was presented, a modified transposition to catalonian of the « Deontological Code » that the French Psychological Society had drawn up in 1961. All these documents, though not widely published, will be the reference framework for psychologists until in the mid eighties the *Colegio Oficial de Psicólogos* (Official College of Psychologists of Spain, created by law in 1980) is consolidated for the development of psychology and the profession of psychologist.

This consolidation takes place during the celebration of the first national congress (Madrid, 1984), in which Alfredo FIERRO presents an invited address with the title : « Deontological Code (First Draft) », the foundation of all later work in this matter. But other relevant initiatives converge, such as the « Ethical Code for Psychologists against Torture » (Miguel-Anxo GARCÍA); the « Deontological code for Personnel of Psychological Services of the Army, Navy and Air Forces (FAS) » (Pedro VALDERAS); or the ethical professional bibliography for psychologists (ALCAÍN, 1984); the « Rights of the Subject under Investigation » (AEN, 1982); the « Minimum and Average Fees of Psychologists » (Alejandro AVILA *et al.*, 1983); the study on « Professional Publicity of Psychologists and Psychology in Spain » (Alejandro AVILA *et al.*, 1985) etc. This profusion of contributions demonstrates that in the mid eighties, the ideal conditions of professional development have been achieved, so that psychologists can ask themselves about the deontology of their practice. This debate takes shape in 1987 with the elaboration and dissemination of a consensus code, at present in force, which will be critically commented upon in the rest of this paper.

The awakening of sensitivity towards deontological reflection in psychology appears in numerous countries at the same time as in Spain. In the USA (January, 1981), the American Psychological Association proclaims the Ethical Principles of Psychologists (updated June, 1989, 1993), followed by the definition of ethical committees (February, 1981). In France, the proposed law on the profession of psychologist (1982) includes the deontological code of the SFP (1977 version), which the ANOP brought up to date in 1987. In Italy, the SIP approved its code on September 24, 1981; in England, the BPS proclaimed the current version of its code in 1985. All these developments, though of a national character, are in response to the profession's self-regulation by scientific or professional associations. But the State has also generated initiatives, of which we have a magnificent example in the Quebec State Law of Professions (1978), a fusing of law and deontology. Indeed deontology's ultimate expression in western societies has been the state regulation of corporative normativism.

In Spain, the State's interest in favor of psychology has barely been noticeable as yet. The profession of psychologist in Spain still enjoys the doubtful privilege of development in a climate of constant replevin from the State : approval of the professional statute (pending since 1982); inclusion of psychology among health professions; exemption of VAT for clinical psychology; programs of specialized training (e.g. the Internship Postgraduate Training for Clinical Psychologists : PIR), etc. This constant litigation allows the Spanish psychologist to remain young and demanding, but doubtless, withdraws efforts from tasks in better accordance with the scientific and professional development of Spanish psychology.

Deontology is in that intermediate space between the normative and the private : the space of a consensual progression towards the ideal. Spanish psychologists have at their disposal a good code to think about and to which we can refer, to debate, to reform, and, above all, to form the professional conscience, transcending the individual conscience.

The *Deontological Code of Psychologists* emerged from a consensual elaboration process carried out in 1987, gathering and taking advantage of all the above mentioned contributions. Delegations of the *Colegio* (including the catalonian *Col·legi*), all the national scientific psychological associations and societies, the different universities with psychology faculties or sections, and professionals who were well-known and recognized for their trajectory in the different spheres of applied psychology all participated. After studying prior deontological developments, a task force of about 100 experts got together on January 16 and 17, 1987, in Madrid. The debate that started on that occasion was later published (COP, 1987). A commission presided by Alejandro AVILA elaborated all the proposals and later nuances, and then presented the definitive text of the code to the Government Board of the *Colegio Oficial de Psicólogos*. The Board rati-

fied the code in its meeting of May 22, 1987, proclaiming it a professional behavior norm for all members, and asking for adherence and ratification from the rest of the scientific and professional psychology associations of Spain. As of today, the following associations have made the code binding to their affiliates: the Spanish Society of Psychology (SEP), the Spanish Association of Neuropsychiatry (AEN, covering the various mental health professionals), the Spanish Behavior Therapy Association (AETCO), the Spanish Society of Psychological Assessment and the Spanish Society for the Development of Group Psychotherapy and Psychoanalysis (SEGPA). The code has been translated into the following languages: Galician (1988), English (1989) and Euskera (1991). In the General Meeting of November 2, 1989, the *Col·legi Oficial de psicòlegs of Catalunya* approved a « codi deontològic » of 58 articles in substance identical to the code of the COP.

Critical Analysis of the Deontological Code

The code is made up of eight sections and 65 articles, assembling the different normative proposals. The sections or titles are the following:

0. Preliminary (4 articles)
- I. General Principles (11 articles)
- II. On professional competence and on the relationship with other professionals (8 articles)
- III. On intervention (9 articles)
- IV. On research and teaching (6 articles)
- V. On obtaining and using information (11 articles)
- VI. On publicity (5 articles)
- VII. On fees and remuneration (6 articles)
- VIII. On procedural guarantees (5 articles)

In the preliminary section, the role of the code is outlined: to serve as a rule of professional conduct in the exercise of psychology in any of its modalities (Art. 1), rule that the collegial institution proclaims as a norm by which to judge the behavior of its members. Over and above the legal competence that the college may possess, the nature of the norm that it sets down and can apply emerges from the consensus of the members of a profession. The consensus is based on the representativeness of the committee of experts that elaborated the final version of the code, but also on that of the *Colegio* organs (Government Board) that ratified and proclaimed it. The interpretation of the limits of this consensus deserves a more detailed reflection. It could be taken to the most conservative extreme of professional protectionism, in which the safeguard of psychologists' interest would be favored over users and society in general, or, on the contrary, it could raise the level of professional demands, outlining the achievable professional ideal, which, while guaranteeing psychologists' rights, would attend social and individual needs and hopes on the highest level.

The democratic basis of the norm (Art. 2) there-

fore offers an interpretative framework in which evaluation of professional actions must refer to the social context in which they occur, though often the explicit norm (law) is not enough and one must resort to the implicit prevailing norm in the social environment (Art. 3). Thus, we can expect the code, if it really is to be of use in developing professional conscience, to be slightly ahead of the prevailing social norms in a community, but not so much that it cannot be understood by professionals nor by users. The *Deontological Code of Psychologists* has breached this gap, breaking with mere conformity and professional defense, demanding the growth of the practice towards high standards of competence.

Professional independence (Art. 4) is, in any case, the natural right of the psychologist to practice his specialty, and therefore, to make use of his skills. Psychologists relate to the code assigning it the role of norm of excellence, and simultaneously, they should debate with themselves about the meaning of their professional practice. As a professional, the psychologist serves society as well as the subject, and in the many alternatives of interpretation that can be made about who is the client, the psychologist exercises his full skill reconciling this. A subtle priority component of the Subject is perhaps unavoidable for psychology, which, on the other hand, cannot forget that the Subject springs from and within that which is social, and is unexplainable without this dimension. The code comes back to this question in many articles, especially in Articles 5 and 15. The human and social end (Art. 5) of psychology can be described in terms of well-being, health and life-quality, as the code does, but it can have other variations in special moments and situations, both social and individual. The priority at all costs of the Society of Well-Being can be confronted with other community creative and growth needs, in which fomentation of singularity and diversity would guarantee social development. Inevitably, the psychologist is faced with interpreting the meaning of his actions in whatever context they occur, because his natural place of action is in the articulation Subject-Society.

Our code emphasizes the importance of respecting the rights of the person (Art. 6), his beliefs and moral and religious criteria (Art. 9) and pronounces itself explicitly against the practice of torture by any means, physical or psychic (Art. 7) or the violation of human rights (Art. 8). In this sense, it is one of the codes that, better and more explicitly than others, regulates these principles, which are complemented by guarantees against discrimination on the basis of race, sex, age, ideology, and other conditions (Art. 10).

The rest of the general principles pose limits to professional action against: the abuse of power and superiority that the practice of psychology sometimes bestows (Art. 11); discriminatory evaluations in psychological reports (Art. 12); undue client attraction by abuse of public position or the exercise of monopoly (Art. 13) and intrusiveness and professional fraud (Art. 14).

Title II gathers together the principles by which

professional competence should develop, in favor of multi- and interdisciplinary actions, of cooperation in the service of goals which frequently exceed the limits of just one profession, focus point, model or intervention technique. At the base of the articulation is the fact that psychology is a developing science, that may, without prejudice, consider the existence of unchangeable principles or truths. As a consequence, moderation and respect for diversity of viewpoints and arguments — without preventing the requirement of scientific and/or methodological rigor — should prevail over any other consideration.

The limits of psychological intervention are considered in Title III, which warns us about the importance of giving information to the client to allow him to know the true scope of the interventions, and to give his informed consent to them. This allows the client to interrupt the intervention for any motive, but it also points out to the psychologist his duty to interrupt it if the client can no longer benefit from it.

The enormous importance of the science-profession nexus, both through investigation as well as through training, is the object of development of Title IV. In the code, the moral obligation of psychologists to receive continuing training as well as to share their experiences and findings with the rest of the scientific and professional community is stressed. In the investigation development, the rights of the subject (human or animal) are also a priority object of attention, in the code as well as in specific regulations that are cited therein (for example, the Guide for ethical behavior in caring for and using animals in research).

The use of information obtained and produced in the course of professional psychological actions has traditionally been considered one of the most delicate aspects of professional practice. Title V chooses an option of zeal in protecting the rights of the subject to privacy and secret, respect and utility, and impeding public institutions from exerting undue control of non-relevant information. The limits of processing and using information in a strongly technologized society has been one of the worry focus points of a good number of professionals working for institutions (public or private), who at the same time must foresee the potential use of information, and consequently determine the scope of the registers they maintain. A subject capable of knowing and deciding, in full possession of his capacities and the right to be informed and to control the diffusion of information about himself, clearly emerges from these articles (39 to 49), with no restrictions of any type (be he child or adult, competent or incompetent). The psychologist is always the guarantor that the eventual restrictions do not harm the subject's rights as a person.

Limits on publicity for professional services, and the nature of the fees that the psychologist should receive, are regulated in Titles VI and VII. All publicity is geared to attracting clients, which is already indirectly condemned by the code in article 13; however, a certain licit publicity is conceivable, which informs of the

existence of certain services, without going into discussions about factors of competition (for example, quality or price). Insofar as psychology is still a young profession and has not yet achieved sufficient and full social implantation, we can consider publicity to be licit. However, the institutions that develop psychology as a science and a profession — and among them the College plays a main role — should not abandon their role of informing society about the utility and necessity of the services that psychology can render.

The question of just remuneration for a service, in the context of a free market, is problematical. The code limits itself (Art. 55 to 60) to rejecting unfair competition and fees for the exercise of influence, as well as to protecting the client's right to know the price for services. Optimization and extension of the offer of public psychological service could tend towards palliating possible abuse, through the evolution of market laws.

Finally, the code puts forth, in Title VIII, a series of procedural guarantees. General norms of procedure in view of the present inability by the College to make legal sanction for transactions between users and psychologists have been established. Specific regulations on complaints and their treatment (inspired by the principles of hearing, debate and reserve), and also on the role and management of deontological commissions have emerged from this generic framework. Although the code does not regulate it expressly, it is clear that the deontological commissions should be absolutely independent of the governing bodies of the collegial institution (Rector Boards and Government Boards). In this way the necessary criticism capacity that should be enjoyed by a deontological commission for the whole profession, is guaranteed. Using the framework of Art. 2, one can require said commissions to be democratically elected, from among the college members with the most experience and years of practice. This has been the practice in those college delegations that have been able to formally constitute commissions. However, we still lack the necessary working experience to be able to evaluate the scope of these or other possible procedures.

The reader is left with an impression of complexity upon reading the code, with the variety and depth of the themes discussed, and the necessary resort to the criticism of praxis. Casuistic analysis then becomes a priority requirement, though the desire to discuss the aptness of some article or supposition underlines just those points in which the Code is ahead of its time. Admitting that there are detectable and corrigible insufficiencies we still have controversy about those stances adopted that become troublesome or unacceptable for some sectors of psychologists. The logic of consensus that presided over the elaboration of the code cannot guarantee that this consensus not go beyond what praxis has turned into custom and considered normal. Ideological stands, particularly those of the confrontation between the subject's possessions and rights and those of society, will never be com-

pletely resolved. Though every code has a margin of interpretation, its limits place the psychologist in a position in which subjective conscience must confront that of the group and the social conscience. The possible lack of synchronization between a code and the social and professional context in which the code must be applied, must be taken into account by all, and especially by those who are responsible for interpreting the ethics of behavior.

Towards a Metacode for European Psychology

The European integration movement, as far as professional environments are concerned, has not sidestepped the importance of a debate on deontology and psychology within a specifically European framework. The first formal step was made by Heinz SCHULER, who presented a synopsis of the European ethical codes at a meeting of the EFPPA, which took place in Vienna on August 29th, 1984. Five years later the EFPPA promoted the creation of a European Task Force on Psychology and Ethics, with Geir NIELSEN in charge; he contacted the professional associations of psychologists in and outside the European Community, including eastern countries, summoning a first work meeting which took place in Copenhagen on January 12th and 13th, 1990. The following countries participated in this meeting: Norway (representing the Scandinavian countries), England, Switzerland, Germany, France, Spain, Holland and Hungary. The following agreements were adopted: *a*) There is sufficient basis to develop a common ethical code; *b*) Said common code would be of utmost utility to orient and improve professional practice throughout the different European countries; *c*) Given the diversity of the different national organizations that group psychologists together, and the different legal statutes of the profession, it is advisable to proceed by phases, first identifying some general principles common to all psychological practices, and later developing specific codes for the principle areas of application and professional specialization.

After the Copenhagen meeting, the EFPPA turned to facing structural difficulties that have delayed the calendar of the project. Geoff LINDSAY (England) and Geir NIELSEN, prepared a new draft of Meta-code discussed in a February 1993 meeting in Amsterdam, now subject to new proposals and considerations by the EFPPA executive board and general assembly in Tampere (July 1993). Efforts and debates continue.

The Singularity of Clinical Psychology

Although interest in analyzing practice in an application and specialization area is nothing new, it is important at this moment. Having laid the foundation by means of the code to generating an ethical reflec-

tion about psychology as a profession, now it is time to turn to its specialities. Among them, clinical psychology — taken in a broad sense — is one that requires attention most urgently. In other countries, a certain amount of attention has been paid to this question; the British Psychological Society published in 1989 some « Guidelines for the professional practice of clinical psychology », a review of those dictated in 1974, on whose general lines we shall comment below. Earlier, the APA opened the subject with the Ethical Casebook and the corresponding section in the « Guidelines for the delivery of psychological services ». However, the contribution of the BPS is the more complete and provocative.

One of the document's most interesting aspects is its focus point. It is considered more appropriate to orientate on good and adequate professional practice, rather than concentrate on identifying inadequate or deficient practice. This exemplary, positive intention makes way for the construction of a model that is considered idealized, but necessary for the development of a practice that is better founded and carried out. Though codes generally put forth an exemplary model — doubtless, the Spanish code reflects this — an ethical code tends to be a series of principles or minimum recommendations, whereas by means of specialized professional behavior orientations we can achieve the ceiling of deontological aspirations.

So the clinical psychologist should choose to orient his activity to achieving the maximum level of competence. He should pledge to continue a highly demanding education which, by constant theoretical and practical recycling, inter-consultation, supervision and any other activity, guarantees keeping up-to-date. Despite traditional images of clinical psychology as an isolated practice, centered on the individual, the clinical psychologist's practice should be carried out as teamwork, whether or not he works day to day in a formal team. Rather, true teamwork dynamics are required by healthy and creative practice of clinical psychology: interconsultation, clinical sessions, team or program meetings, supervision, training, are not merely terms to be included on the list of a clinical psychologist's tasks, but urgent essentials to developing His work in a healthy and effective way. Without meaning to alarm, it is not exaggerated to say that the effective and devoted practice of clinical psychology carries its own risks for the professional, and that the measures of group training, exchange and supervision represent basic psychoprophylactics.

As a consequence of these risks, professional practice requires not only the static qualifications of the would-be professional, but support for his work so that it maintains and increases his level of competence and capacity. The professional may need help owing to circumstances deriving from his own professional practice or because of his personal life. The ways to give him help should be one of the objects considered by ethical and basic training committees. There is a difference between considering the clinician in need of help

as a bad professional, and conceiving of him just as a professional who needs help, and giving it to him. The right of the professional to receive professional help whenever he needs it should be considered as a priority.

But the professional institution is not the only one that should guarantee attention to these needs. Psychologists themselves should consider it their duty to offer their specific knowledge and experience to improve the existing offer of training, supervision and care. There is, consequently, a moral obligation to share with the professional community whatever one does, knows or tries out. But the limits are not set by the profession; in fact, the clinical psychologist has taken on a great responsibility in transmitting psychological knowledge to an ample number of different health professionals with whom he works, avoiding considering everything « psychological » as an exclusive professional field. The requirements to pass on knowledge and carry out practice as a team are the basic concretions of this problem. To take care of and lend the necessary psychological attention to those professionals who in certain moments may need it, is another.

On the other hand, the special characteristics of the interventions that the clinical psychologist carries out bring us to the need to analyze professional casuistry. In Spain, we have as yet no systematic study of the situations that come up, and the situations described in *Casebooks* published in other countries are not always useful. Nor are there data on the opinions about desirable professional behavior (see, for example, HAAS *et al.*, 1986), of great interest to detecting the focus points on which training and prevention should concentrate. To develop such studies is one of the goals we should adopt for the next few years, at a collegial institutional level, and also individually as participants in the different fields of application of clinical psychology.

Author's note : First English version by Virginia Navascués Howard.

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ABREVIATIONS

- AEN : (Asociación Española de Neuropsiquiatría) : Spanish Association of Neuropsychiatry.
- ANOP : (Association Nationale des Organisations des Psychologues).
- BPS : British Psychological Society.
- COP : (Colegio Oficial de Psicólogos) Official College of Psychologists.
- EFPPA : European Association of Professional Psychology Associations.
- FAS : (Fuerzas Armadas) : Army, Navy and Air Forces.
- SFP : (Société Française de Psychologie).
- SIP : Italian Psychological Society.

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Déontologie et Psychologie : de la pensée déontologique à la pratique professionnelle

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La déontologie constitue une contribution au développement de la science, surtout dans ses applications au service de l'être humain. Le souci pour les questions déontologiques se manifeste très tôt dans la psychologie espagnole, mais il faut attendre la décennie de 1980 pour trouver un développement professionnel qui permet, aux psychologues, les oblige même à s'interroger systématiquement sur la déontologie de leur pratique. Le débat conduit à l'élaboration et à la promulgation, en 1987, d'un Code dont nous allons considérer critiqueusement quelques aspects : 1) Les principes généraux ; 2) La compétence professionnelle et les relations avec d'autres professions ; 3) L'intervention des psychologues ; 4) La recherche et l'enseignement ; 5) L'obtention et l'usage de l'information ; 6) La rémunération et 7) Les garanties légales.

La déontologie se situe dans un espace intermédiaire entre la norme commune et l'action privée. C'est l'espace où a lieu l'élargissement de la conscience individuelle vers une conscience professionnelle, demandé par le progrès des idéaux scientifiques et sociaux. Le Code s'appuie sur la base démocratique de la norme sociale qui offre un cadre de référence pour l'évaluation des activités professionnelles dans le contexte social où elles s'accomplissent réellement. Il faut ajouter, cependant, que maintes fois la norme explicite (et la loi) n'est pas suffisante et qu'il est nécessaire de recourir à la norme implicite qui régit la société. Le code déontologique doit, donc, anticiper souvent et dans une certaine mesure les normes sociales du moment s'il veut vraiment servir au développement de la conscience professionnelle. Il doit néanmoins, en tout cas, être compris et par le professionnel et par le client. Le Code Déontologique du Psychologue ne doit être ni simple acceptation irréfléchie des normes collectives, ni simple protection des pratiques professionnelles courantes. Il est plutôt exigence de développement de la pratique vers des standards de compétence scientifique et éthique.

Nous offrons, enfin, quelques réflexions sur la particularité du problème dans le domaine clinique. Le psychologue clinicien doit développer son activité au moyen d'une formation permanente. Malgré les connotations traditionnelles qui vont dans le sens d'un travail isolé et centré sur le client, la pratique du psychologue clinicien doit s'accomplir « en équipe ». Cela ne veut pas dire que le psychologue doit faire partie formellement d'une équipe, mais plus profondément que son travail doit s'approfondir et renouveler à l'aide des séances cliniques, réunions d'échanges, programmes de supervision et de formation. Il n'est pas exagéré de dire, sans devenir alarmiste, que l'exercice effectif de la psychologie clinique comporte des risques spécifiques et que les ressources du groupe dans la formation, l'échange et la supervision font partie des obligations prophylactiques dont le psychologue a besoin.