Culture Always Matters: Some Thoughts on Rosenberg and Schwartz

Matthew T. Brodhead¹

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Abstract

The purpose of this paper is to draw attention to and highlight some particularly enlightening arguments described by Rosenberg and Schwartz (2019). First, I emphasize the importance of the role of culture in ethical analysis and describe how the Behavior Analyst Certification Board (BACB) *Professional and Ethical Compliance Code for Behavior Analysts* (2014; hereafter referred to as the BACB Code) unintentionally underplays the importance of culture. Second, I express support for the model of ethical analysis proposed by Rosenberg and Schwartz and explain how their model provides an excellent and much-needed framework for the observation (and subsequent study) of ethical decision-making in behavior-analytic practice. Finally, I go all in and join Rosenberg and Schwartz in their call for scholars to critically analyze and discuss the BACB Code and to challenge the status quo (or call into question those who do). Such a discussion is healthy for our science and understanding of ethics and behavior analysis.

Keywords applied behavior analysis · culture · ethics · decision-making models · dissent

Culture Always Matters

A behavioral analysis of culture is not new. Skinner discussed the role of culture (defined as contingencies arranged by other people) in multiple writings, including *Science and Human Behavior* (1953), *Walden Two* (1976), and his paper “Selection by Consequences” (1981). Sugai, O’Keefe, and Fallon (2012) provide a more contemporary definition of culture, defining culture as “the extent to which a group of individuals engage in overt and verbal behavior reflecting shared behavioral learning histories, serving to differentiate the group from other groups, and predicting how individuals within the group act in specific setting conditions” (p. 200). In addition to behavioral definitions of culture, other scholars, such as Sigrid Glenn (e.g., 1993), Mark Mattaini (e.g., 2010), and Maria Malott (e.g., 1992) have written extensively about the role of cultural variables and their effects on human behavior.

Culture goes well beyond one’s geographical identity. Sexual identity, socioeconomic status, and opinions about medicine, politics, and science are all but a few examples of broad and impactful cultural variables that affect the everyday

behavior of ordinary people. Consider the simple example of the cultural selection of verbal behavior. Coffee may be a learned reinforcer, but the mand forms that result in access to coffee (e.g., “*Quiero café por favor*” or “May I have some coffee?”) are culturally selected (Brodhead, Durán, & Bloom, 2014). I challenge the reader to identify nonexamples of cultural variables in order to emphasize the importance and enormity of how our social constructs affect what we say and do.

The field of behavior analysis is a cultural system (see Glenn, 1993) that is informed by the values of Western medicine (Brodhead, Cox, & Quigley, 2018a). As Rosenberg and Schwartz (2019) astutely note, the very existence of a rule-based system is a Western-centric belief. I note that this is not a criticism of our science and scientists, per se. Instead, I intend to further highlight that our core values, such as our philosophical values of determinism (Skinner, 1953) and what defines applied behavior analysis (Baer, Wolf, & Risley, 1968), are built upon just one of many perspectives upon which we are able to draw to assemble our own worldview. Put another way, the Western model is one of many cultures that may exert control over human behavior. From a point of binary comparison, a Western model of medicine may view environmental changes as primary variables in behavioral health and treatment, whereas the Eastern model of medicine may instead emphasize the consideration of the body and mind in behavior-change procedures (World Health Organization, 2000).

✉ Matthew T. Brodhead
mtb@msu.edu

¹ Michigan State University, East Lansing, MI 48824, USA

Despite the scholarly definitions of culture and a small but emerging base of research on this topic in behavior analysis, the role of culture has been largely neglected in behavior-analytic scholarship on ethical analysis. When discussions of the role of culture in ethical analysis do exist, they have mainly centered around considerations of variables to take into account when interacting and providing services to diverse clients. One specific example is the cultural practice of gift giving or exchanging. Bailey and Burch (2016) note that one of the most talked about elements of the Behavior Analyst Certification Board's (BACB's) *Professional and Ethical Compliance Code for Behavior Analysts* (2014; hereafter referred to as the BACB Code) has centered around BACB Code 1.06d, which states that "behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship." In addition to noting the popularity of BACB Code 1.06d, Bailey and Burch make the argument that cultural analysis is irrelevant when considering this code in ethical analysis. Specifically, they liken behavior analysts to tradespeople (e.g., a plumber or electrician) and say that "it seems nonsensical to expect these tradespeople to bring gifts or accept them" (p. 73). They argue that the cultural experience of gift exchange is not relevant to behavior analysis and requires no further consideration or analysis.

The recommendation that cultural analysis is "nonsensical" is incongruent with what is known to be best practice in cultural competence in human-service delivery (Fong, Catagnus, Brodhead, Quigley, & Field, 2016; Witts, Brodhead, Adlington, & Barron, 2018). Cultural competence, in fact, is a two-way street, a respectful convergence of ideas (e.g., cultural variables) that results in the development and implementation of optimal treatment (Bolling, 2002). Cultural competence does not mean that our clients should only cross the street in our direction.

As noted by Rosenberg and Schwartz, cultural variables greatly add to the complexity of ethical analysis. Unfortunately, the BACB Code has not focused on the importance of culture in ethical analysis. In addition to Bailey and Burch's (2016) dismissal of certain cultural practices in ethical analysis, only in BACB Code 1.05 (Professional and Scientific Relationships) is the term *culture* mentioned, and only briefly by noting that the behavior analyst must resolve any differences in culture that affect services. As Rosenberg and Schwartz point out, culture is much more important and complex than what I am sure was meant when the current version of the BACB Code was written or how it is portrayed in popular texts on ethics and behavior analysis.

I hypothesize that the direct and specific language of BACB Code 1.06d has created a black-and-white approach to ethical decision-making that may affect people who are new to our field. Furthermore, I fear this approach has overgeneralized to other elements of the BACB Code. This is the same decision-making process that Rosenberg and

Schwartz argue against, and they make clear that rigid thinking may result in a superficial ethical analysis, at best.¹ But because of BACB Code 1.06d, there may be unintended consequences of overcorrection to prevent multiple relationships (Brodhead et al., 2018a) at the expense of potentially a greater problem of creating a brand of practitioners who risk being insensitive to the nuances of culture.

Another unintended consequence of the BACB Code is that the behavior analyst is forever stuck in an ethical dilemma of deciding whether to respect cultural differences (BACB Code 1.05) by accepting a gift while simultaneously violating another element of the BACB Code (1.06d). I offer this as one example of at least a few places where the BACB Code may face criticism and contradiction within itself. In another example, Graber and O'Brien (2018) describe how, when behavior analysts are not fully reimbursed for behavioral services, the ethical dilemma that arises from the options of discontinuing services, prioritizing of services to clients who can pay out of pocket, or providing less care in terms of hours to clients places the behavior analyst in a no-win ethical situation. In a final example, Graber and Graber (2018) note that "from the perspective of ethical theory, the Code's restriction on punishment is likely inaccurate" (p. 4). To briefly summarize, because it is a nonsubjective term (i.e., it is defined by objective observation of behavior over the passage of time), punishment is generally not subject to moral evaluation in ethical theory. In the aforementioned cases, I do not believe the BACB intended for the BACB Code to be conflicting in these ways. Nor can the BACB possibly account for every possible instance in which their ethical codes may or may not conflict with one another or cause confusion (Brodhead et al., 2018a). These discrepancies are common in the realm of professional ethics (see Graber & Graber, 2018, for further discussion). As scholars, it is our job to point them out and to encourage careful analysis and revision to our ethics codes. As readers, I see it as your duty to digest these arguments and to proceed with caution in similar situations, knowing the complexity of those situations.

It is important to emphasize that BACB Code 1.06d, as well as the entire BACB Code itself, is designed to protect consumers of behavior-analytic services and the behavior analysts providing those services. That is, 1.06d may very well serve as an antecedent intervention that decreases the likelihood of a behavior analyst entering a multiple relationship, which then results in maintained compliance with the BACB Code and decreases the probability of disciplinary action and impaired clinical judgement stemming from a multiple relationship. Furthermore, because only individuals credentialed by the BACB can be held liable for violations of the BACB

¹ My informal observations also suggest that BACB Code 1.06d has resulted in a surge of "Should you take a glass of water from a client?" presentations at the Association for Behavior Analysis International's and other conferences, likely detracting from more important and meaningful discussions related to ethics and behavior analysis.

Code, the code serves as a layer of protection for the behavior analyst in the event an organizational policy is incongruent with the BACB Code (Brodhead, Quigley, & Cox, 2018b). In an ethical analysis, the stated cultural values of the BACB Code, to protect consumers and the behavior analyst, must be kept in mind. Any behavior analyst bound to the BACB Code must do his or her due diligence to minimize noncompliance with it; at the same time, behavior analysts must do their due diligence to maintain respectfulness and appreciation for cultural values, as well as maintain actions that protect their credential.

Given the current trend in behavior analysis to further understand the role of culture in service delivery and to advocate for cultural competence (e.g., Beaulieu, Addington, & Almeida, 2018; Brodhead et al., 2014; Fong & Tanaka, 2013; Fong et al., 2016; Li, Wallace, Ehrhardt, & Poling, 2017), including an ethical analysis (Rosenberg & Schwartz, 2019; Witts et al., 2018), I am encouraged that the next revision of the BACB Code will resolve some of the confusion surrounding culture. In all likelihood, different problems may emerge that spark additional scholarly conversations. For those cases, Rosenberg and Schwartz serve as a model as to how we may critically analyze the BACB Code to help guide us through ethical analyses when an ethical dilemma is present.

To conclude this section, I emphasize that ignoring the culture of our clients, and ourselves, in ethical analysis is incongruent with our core value of being analytic (see Baer et al., 1968). Disregarding the importance of culture also does not align with what is known to be best practices in cultural competence (see Fong & Tanaka, 2013; Fong et al., 2016). Rosenberg and Schwartz challenge the status quo put forth by the BACB Code and popular texts on ethics and behavior analysis by drawing attention to this fact. I hope that readers take away from Rosenberg and Schwartz the importance of the role of culture in service delivery and ethical analysis. I also hope readers understand that although the BACB Code may underemphasize the importance of culture, culture is far from unimportant in ethical analysis.

We Need Operationalized Processes of Ethical Decision-Making

Recently, behavior analysts have begun to describe and evaluate systematic processes for making decisions during behavior-analytic practice. Examples include models for engaging in effective interdisciplinary collaboration, selecting types of function-based treatments, and accurately analyzing data (Brodhead, 2015; Geiger, Carr, & LeBlanc, 2010; Kipfmiller et al., 2019; Newhouse-Oisten, Peck, Conway, & Frieder, 2017). A primary benefit of the aforementioned models is that they provide a framework for operationally

defining, and subsequently measuring, observable behaviors of practicing behavior analysts.

The model proposed by Rosenberg and Schwartz extends this previous work and introduced a tool that finally allows us to define, observe, and measure ethical decision-making behavior. I, for one, am personally excited about this contribution. Until now, we have failed to hold ethical analysis to the same standards as other components of applied practice, standards of objectively defining, observing, measuring, and analyzing behavior.

I draw upon the area of autism treatment to further highlight the importance of the contribution made by Rosenberg and Schwartz. Scholars have very carefully operationally defined the components that are necessary for well-implemented and effective discrete-trial instruction. Likewise, the assessment and treatment of challenging behavior have received consistent attention over the course of decades, with much detail paid to variations and situation-specific modifications that result in optimal treatment outcomes. Discrete-trial teaching, functional assessment, and treatment of challenging behavior are certainly important. But ethics are also important—so important that I argue they are the umbrella that covers all that we do.

So where is the same treatment and attention paid to operationally defining ethical behavior, so it can be observed or taught, just as we observe or teach discrete trials and functional assessments? Rosenberg and Schwartz show us that operationally defining the behavioral process of ethical analysis can be done, and done well. Their model sends a message to students, practitioners, and scholars that the wait is over for the objective study of ethics in behavior analysis. Gone are the days where we must rely on telling our students and supervisees “what not to do” in order to follow the BACB Code. Also gone are the days where we must rely on case studies that do not reflect the specific challenges we may face to teach ethical decision-making. Though these case studies may be important in establishing a baseline level of understanding in ethical analysis, they do not account for the situation-specific instances a behavior analyst may face during clinical practice (see Chapter 3 in Brodhead et al., 2018a). Instead, we now have a tool, rooted in behavior-analytic tradition, for teaching our students and supervisees how to be analytical during their ethical decision-making process in relevant practice settings (just as we would expect them to be analytical during their discrete-trial instruction and functional assessment process).

Do not forget that ethical behavior, like most behavior, is a discriminated operant (Newman, Reinecke, & Kurtz, 1996). We would never assume our employees could learn discrete-trial teaching through osmosis; ethical behavior is no different. Rosenberg and Schwartz get a pass on this, but the rest of us should be accountable for holding ethics to the same behavior-analytic standards as our other practices.

I call upon scholars to study the model proposed by Rosenberg and Schwartz. To date, there are no empirical studies on ethics and behavior analysis. I find this rather heart-breaking, given the importance of ethics as a subject matter, and the emphasis the BACB places on coursework and continuing education in ethics. But now, we have run out of excuses (myself included) for not studying such an important component of our practice. We now have a framework for at least the partial empirical study of ethics and behavior analysis.

Challenging the Status Quo Is Healthy

Very few scholars have come forth to critically analyze the BACB Code. Rosenberg and Schwartz serve as one example—one that takes issue with the mandated compliance required by the BACB and the rule-based BACB Code. Witts et al. (2018), Graber and O'Brien (2018), and Graber and Graber (2018) serve as three other critical analyses of the BACB Code that I am aware of. Surely, there are other scholars who have comments on the BACB Code (either for or against), and I encourage them to step forward and join the discussion. As Pat Friman (2010) noted in a not-at-all-related article, “Come on in, the water is fine.”

Behavior analysts contact and engage with the BACB Code on a continuous basis. Whereas we are continuously analyzing and questioning our treatment practices as a means to stay close and true to our behavior-analytic values, surely behavior analysts are engaging in similar conversations about the BACB Code, a document that bears enormous weight, responsibility, and directive for how we behave. Aside from any licensure laws behavior analysts may be bound to and the BACB Task List (BACB, 2012) that defines our scope of practice, I know of no other documents that bear as much importance as the BACB Code. Let us help shape it.

To be complacent and indifferent to the BACB Code, I argue, is to go against the core values of what it means to be a behavior analyst. Without a critical analysis of the BACB Code, the *A* in *Analyst* is missing, and if it exists, it is a tiny, lowercase *a* that is too small for print. Dissent, in general, is healthy for a science and allows it to grow and mature much better than if its values were not questioned and we are led into compliance and groupthink.

Summary

My preference for dissent and challenging widely held conventions is likely a product of my teenage years, where I did nothing but skateboard (poorly), listen to punk rock (loudly), and read George Orwell (enthusiastically). I understand if others are not so welcoming to the idea of dissent and

challenging important documents (e.g., the BACB Code). I recognize that preference for compliance is likely a result of one's own individual learning history—a cultural value that one may hold dear.

My cultural values of dissent and calling into question things of importance may be incompatible with those of compliance. I welcome further discussion about how our values may converge in order to achieve the goal in which I believe we are all here to realize: the development of a science of behavior that produces socially significant (and ethical) behavior change. I hope you join us in this discussion. Until then, I'll be hanging out with Rosenberg and Schwartz, at least until others join in and change my mind.

Come on in, the water is fine.

Author Note Matthew T. Brodhead, Department of Counseling, Educational Psychology, and Special Education, Michigan State University.

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Compliance with Ethical Standards

Ethical approval This article does not contain any studies with human participants or animals performed by the author.

Conflict of interest The author declares that he has no conflicts of interest.

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