

“To Protect the Institute”

A Reply to David Delaney

**by Heidi Massa, Certified Advanced Rolfer
and Member of the Ethics and Business Practices Committee**

The stated intention of David Delaney’s article, entitled “Ethics” (published in *Structural Integration*, June 2003), is to “put onto the table some key areas which [the author] hope[s] might stimulate further process and discussion within the Rolfering community and perhaps assist some of us in our daily practices.” Although I doubt it was David’s intention, the most “stimulating” assertions in his article are the aspersions cast upon the purpose and workings of the Rolf Institute’s Ethics and Business Practices Committee.

In his introduction, David described the “Rolf Institute’s ethics process” as “a mechanism to protect the Institute, as I was recently told, and then to help negotiate ethics violations before they get out of hand.” In his conclusion, he reiterated, “At present, our ethics process appears to be a way to protect the Institute.” (Emphasis added.) As I and others read these passages, they suggest that the Committee construes its mission to be to cover the Rolf Institute’s wide posterior aspect and to sweep violations of our code of ethics under the rug. Nothing could be farther from the truth.

I myself was particularly struck by this language because the person David is quoting in the first instance – albeit partially, inaccurately, and without benefit of either attribution or context – happens to be me. I am also the person who, in 1997, designed the process by which the Rolf Institute currently handles complaints against its members (which only sometimes actually implicate our Code of Ethics). I have been a member of the Committee since its inception in 1997, and have been directly involved in the only two cases in which members were actually disciplined for violations. This background, as well as the fact that my own actions appear to have contributed to David’s

unfortunate misstatements, impel me to take responsibility to clear up any misunderstanding.

In early Spring of this year, when David had just joined the Committee, several of its members participated in a conference call that David himself requested. Other new members having been present on the call, I took the opportunity to explain the goal of the Committee’s process with respect to client complaints. First, for the majority of complaints – which do not allege ethics violations, but disagreements over business practices – the Committee chairman may choose to help the client and the Rolfer resolve their disagreement. This, apparently, is what David interpreted to mean: “to help negotiate ethics violations before they get out of hand.”

To the contrary, we never – ever – “negotiate ethics violations.” As former Committee chairman Les Kertay explained in response to David’s assertion:

“I never considered an ethics complaint that had sufficient merit to go forward to be something that was negotiable. ... Sometimes, when the issue appeared to be largely a business dispute, did not involve any clear violation of the Code [of Ethics], and might be resolved with some discussion and/or negotiation, then I sought additional discussion [with both the Rolfer and the client].”

The fact is, if the chairman believes that there might have been an ethics violation – as opposed to a business dispute – our procedures give the chairman no choice but to refer the matter to three other Committee members (a review panel) for further proceedings. If the review panel’s investigation reveals evidence of a violation, the review panel presents that evidence to a three-

member hearing panel, whose proceedings comport with the standards of due process. If the hearing panel finds a violation, it recommends to the Board of Directors discipline appropriate to the circumstances.

In these rare cases that progress to the hearing stage, the Committee’s object is not to gain restitution or other remedy for the client – nor is it to either punish or protect the Rolfer. To the contrary, it is to protect the Institute – first, by assuring the complaining client (and the public) that the complaint is heard and taken seriously; and second, by taking whatever steps appear necessary to insure that the Rolfer’s future behavior will be proper. If a member appears uneducable, or otherwise presents a danger to the public, we recommend expulsion. At the same time, we must be scrupulously fair to the individual Rolfer whose reputation and very livelihood are at stake; we recommend discipline only in a manner that would, if necessary, stand up in a court of law as having been fair – both procedurally and substantively.

As to substantive matters, David’s discussion goes well beyond the workings of the Committee – although no analytical distinction is made among the work of the Committee, our ethics education, and the content of the Code of Ethics itself. David takes the position – based on the anecdotes of his own feelings as a “very timid” Rolfee faced with a “standard Rolfering waiver”, whatever that might be; as a Rolfering student in 1985; and as a result of his “intense and difficult experiences” serving his own clients – that our ethics education could be improved. Of course our ethics education could be improved. For us, ethics is like anatomy: one can’t know too much about it.

However, the first step to improvement is recognition of what exists now. To give useful criticism (and also to avoid acting upon “weakness, ignorance, blindness, [or] just plain stupidity,” as David quoted Les Kertay) the critic would first have to inform himself as to the content of the current ethics curriculum – beyond learning from Tessa Brungardt that one even exists. He might also wish to know whether it seems to be effective – and if not, how not.

The fact is, the Committee’s experience from 1997 to date reveals no glaring deficits. Under the current procedures, we have received a grand total of 22 complaints, 15 of which involved no more than business disputes and were resolved by the chair-

man. Of the seven cases in which potential violations of the Code of Ethics were credibly alleged, the review panels found evidence of violations sufficient to present at formal hearings in only two. In both of those cases, the Rolfers were disciplined; in one, the Rolfer was expelled.

What is perhaps more interesting, 14 of the 22 complaints (nearly 64%) were brought against Rolfers with more than eight years' experience. And in all but one of the cases that went further than the chairman's initial process, the Rolfers had been in practice 17 or more years. This hardly suggests that our recent education has fallen short; if anything, it suggests that our education is improving.

Some people – including, perhaps, David Delaney – would argue that the paucity of complaints is attributable not to the soundness of our practitioners' conduct, but to the clients' ignorance of how or to whom to complain in the first place. But just imagine asking clients to read and sign off on the following: "If I cheat you, call the Better Business Bureau – and also your lawyer. If I sexually assault you, call the police

and the state's attorney. And in this context, the definition of "sexual assault" is ... If you question my competence, call the state licensing authority. If I behave unethically – e.g., if I [insert your pet bugaboos here] – or if I make you uncomfortable in any way, be sure to contact the Rolf Institute (Code of Ethics and Ethics Implementation Procedures enclosed)."

David's discussion of "informed consent", to my mind, does little more than propagate our endemic cultural scourges of fear and distrust, which take the "civil" out of civil society. In ethics, as in life, we must guard against the insidious mindset that nurtures these scourges by expecting – indeed, seeking out – malfeasance. Although ethics rules – like the Rolfig "recipe" – can be both educational and normatively useful, the keystone of civil society is the warranted expectation of proper behavior, which the promulgation of ever-more-detailed rules actually discourages. What is needed by our practitioners, our clients – and, indeed, our society – is neither more nor less than sound judgment and the courage to exercise it.

"Ethics and Business Practices Committee" is the correct term. There is no such body as the "Rolf Institute Ethics Committee", as referenced in David's article.

Although David fails to define "ethics process" – a term that fortunately lacks any obvious referent to most readers – it appears that he is referring here to the workings of the Committee, which he joined only a few months ago.

Restitution and punishment are the purview of the civil and criminal courts – not of the Committee.

General education and Code content are beyond the scope of the Committee as it is currently constituted – and for good reason. It is a basic tenet of the Anglo-American way of doing business that those who make the rules are different from those who enforce them. The same is true of any revision to our current Code of Ethics. I agree with those who suggest that its content should be re-examined. However, this is not and should not become the task of the very same persons who are entrusted with enforcing whatever code exists.

Reply

by David Delaney, Certified Advanced Rolfer

I am responding to Heidi Massa's article entitled, "To Protect the Institute," which is her response to an article that I wrote on the topic of Ethics in the June issue of *Structural Integration* in the "Perspectives" section.

1. I called it the Ethics Committee because that is how it is referred to in every interaction that I have had about it.
2. In a phone conference with other Committee members, Heidi told us that the purpose of the Institute's ethics process is to protect the Institute. I don't know how this can possibly be considered a misstatement; I stated what I was told.
3. Mimi Kranichfeld and I both suggested that our Committee have a live interaction via a phone conference.
4. In my article, my intent was to suggest the need for expanding our ethics process to better protect the clients who come to us because of the good name of Dr. Rolf and Rolfig® structural integration. I'd love to hear other views on this topic from our membership.