

Volunteers and the Ethics of Advocacy

Margery Naylor van Inwagen

This is lovingly dedicated to the memory of my mother, Harriet H. Naylor. She was a remarkable woman—wise, compassionate, determined, hard-working, creative, farsighted, and totally committed to volunteers. As their advocate, she lived by the principles that I describe here.

Lying in a hospital bed, for the moment physically but not mentally incapacitated, I thought about elderly people in a nursing home. Some of these people are physically handicapped in ways that cut them off from many of the educational and cultural resources of the community, yet their minds are as good as ever. They want, and need, to continue to learn. There must be a way to meet this need! But how?

Then I thought about community colleges. They serve students of all ages, including students with physical disabilities. But how can community colleges serve elderly persons who can't get to the community college to take courses?

Simple!

Have the teacher go to the nursing home. Hold classes in a comfortable room, with a table where people in wheelchairs can sit. Use audio-visual aids to help people see and hear as much as they can. Make the classes short enough not to tire people out. Take two semesters to teach a one-semester course.

And so was born the idea of the Older, Wiser Learners (OWL) program.

Later that day, my mother called me at the hospital. "Mom, I've got an idea!" "But how are you?" she asked. "Oh, I'm fine! Listen, Mom, I've got an idea." She did listen. She liked it. A lot.

Encouraged, I resolved then and there to try to put this idea into practice, as an unpaid and unaffiliated volunteer—simply as a member of the community in

Syracuse, New York, not employed by the community college or a nursing home.

The first step was to describe the idea of OWL courses to people in Syracuse. The response was wonderful! A newspaper reporter, Louise Laughton, sketched the idea in the *Herald-Journal* and covered the OWL story as it unfolded. Her newspaper published an editorial supporting the program.

At Onondaga Community College, Professor Maren Brown's reaction was, "that's exactly what we should be doing!" She relayed the idea to some of her colleagues. The Vice President for Academic Affairs, John Blasi, supported the OWL program from the start and enlisted widespread support for it at the college and in the community at large. The adviser to handicapped students, Gary Falco, worked on adapting a college course for physically disabled people in a nursing home. Professor Jerome Berrigan of the English Department volunteered to teach an OWL course and planned one that would challenge and delight older students.

The Central New York Community Foundation funded the first OWL course, paying for books and tuition.

At Loretto Geriatric Center, a large nursing home providing outstanding care, the Director of Social Services, Nancy Bolton, worked tirelessly with volunteers, staff, and residents to put the idea into practice. Drawing on her expert knowledge of gerontology, she helped the rest of us

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understand the needs and concerns of the residents. She knew each resident personally and helped us all to get to know one another quickly. She recruited the residents for the first OWL course, arranged for a room with a blackboard, made sure that the residents got to class and back to their rooms afterwards, and she even baked goodies for the break half-way through the classes.

People in the community, like my mother's great friend, Ruth Sherwood, a founder of RSVP, gave incredibly generously of their time and advice.

Once we knew that the community college was able and willing to offer an OWL course at Loretto if the residents wanted one, that Loretto could have a class there, and that an OWL course would cost \$1,200 for books and tuition, we presented the idea of an OWL course to the Residents Council at Loretto. These were leaders among the residents.

This was the "acid test." If the members of the Residents Council had rejected the OWL program, then it would have been one of those ideas that sound good to everybody but the people it is designed to help!

Happily, though, they were fascinated and pleased with the idea, although they did have a couple of reservations about it. For one thing, a college-level course scared them. We assured them that their years of experience were all the preparation that they would need to take an OWL course, even if they had never been to college. Their other reservation was about taking a seminar-size course. Reacting just like college students a half-century younger, they were worried about whether they would have to participate in class discussion. We assured them that they would be able to talk in class if they wanted to, but that they would not have to talk, if they didn't.

Relieved on these counts, they enthusiastically approved the idea. They helped set up the first OWL course, contributing all sorts of ideas. They got other residents interested. In fact, almost immediately, the residents themselves became the best advocates of all for OWL courses.

After a little less than a year, in September, 1978, the first OWL course began,

with a dozen Loretto residents, the oldest of whom was ninety-four. It was a course in literature taught by Jerome Berrigan.

It was a rousing success!

The residents were delighted with it. They read and discussed all sorts of contemporary literature, and they wrote poetry. And they loved Jerry Berrigan.

At the end of this first course, in June of 1979, I saw a young teenager, a granddaughter of a resident for whom she had been named, Margaret Leak, pushing her grandmother's wheelchair into the room where the residents were about to receive certificates for the three college credits that they had earned. The grandmother was a very frail woman, who turned out to be a talented poet, with a marvelous flair for language and imagery. The granddaughter, her face aglow, said, "Grandma! I didn't know you could write!"

The OWL program has continued, an idea put into practice by the effort of many people, and sustained by them.

My mother believed absolutely in the importance of lifelong learning, and in the importance of older people's being perceived—especially by themselves—as lifelong learners. Without her support and advice, I'm sure that it would not have been possible to get this program started. As you well know, she believed that there is no limit to what volunteers can accomplish, and that confidence saw us all through months of hard work.

She and I talked every Sunday on the phone (long distance, running up horrendous bills). She asked me questions that helped clarify my own thinking, and gave me the benefit of her great wisdom all along the way.

In one conversation, she described what I was doing as "advocacy." Well, I hadn't thought of it in those terms. All I knew was that I was trying to put an idea into practice. But her remark got me thinking about volunteers as advocates, and I'd like to share with you some thoughts about the ethical dimensions of advocacy.

THE ADVOCATE ROLE

Let's start by looking at what advocates are.

In the broadest sense, advocates are people who plead a cause—i.e., who speak out in favor of it. They are neither

must make sure that the means are *right*, before we use them.

But how can we tell whether a cause is good, or some way of pleading it is right?

All I can say is that we *can* tell the difference between good and bad ends, and right and wrong means, by using our conscience. The hardest part is remembering to ask ethical questions in the first place.

TYPES OF CAUSES

Different causes raise specific ethical issues of their own. There are so many different causes that we can look at them here only in terms of broad categories and the kinds of issues that causes that fit into those categories characteristically raise.

One way of classifying causes is according to whether they directly benefit people or not, and if so, which people they benefit.

Some very important causes would not benefit people directly—e.g., the humane treatment of pets, the protection of endangered species of plants and animals, and the preservation of historic buildings and documents. However, many of these causes would benefit people *indirectly*, by benefitting animals, plants, or things, valued for their own sake.

Two of the specific ethical questions that such causes raise are about the extent to which the interests of people may be sacrificed for the sake of animals or plants or inanimate things, and whether it is better to benefit people directly or to benefit them indirectly as a "trickle down effect" of benefitting something else.

Other important causes *would* directly benefit people—e.g., immunization and literacy programs, Meals on Wheels, scouting, etc. Each particular cause can raise its own ethical issues, usually about the means employed to reach what are clearly worthy ends.

Among causes that would benefit people *directly*, there are two different kinds: those that would benefit *other* people, and those that would benefit only the advocate himself or herself.

Suppose, for example, that Sam Smith, who lives alone, wants to add a room to his tiny house, and so he pleads for per-

mission from the zoning board to do this. This is an example of *self-advocacy*.

If adding a room to his house would help him and would not harm anyone else, then there would be nothing wrong with his pleading his own cause before the zoning board. Besides, who else would plead it?

There is nothing wrong with self-advocacy as such, although it could be used wrongly—e.g., to promote one person's self-interest at the expense of other people's, or, even worse, by violating their rights.

Now let's consider causes that would benefit people *other* than the advocate—not causes that just happen to benefit them, as an unexpected windfall, but ones that are advocated *because* they would benefit them. We'll call advocating such causes *altruistic* advocacy (as opposed to self-advocacy).

Altruistic advocacy can be for a "class-action" cause, on behalf of all of the members of a group that is defined by a common interest, like all of the owners of a certain model car that has a defect. These people all face the same danger, just because they own the same model car.

It is important to be sure that the cause *would* benefit those people. But, if it wouldn't (e.g., if nobody owned these cars, or the cars weren't defective), it would not be *wrong* to advocate it—unless, of course, advocating it actually harmed the members of that class. It would just be a waste of the advocate's time.

Altruistic advocacy can also be for a cause that would benefit only one person, or just a few people, without benefitting all of the people who have the same interest. For example, parents of a retarded child who urge school officials to give that child a better opportunity to learn at school are advocates for that cause in order to help *that* child, but not necessarily in order to help other retarded children.

All altruistic advocacy is ultimately advocacy on behalf of individual people, though, because the members of the class advocated for are all individual people.

Because altruistic advocacy is advocacy on behalf of individual people, it is subject to the following ethical limit. In ad-

vocating a cause for the sake of other people, it would be wrong to violate their rights.

Advocacy for the OWL program, as it affected a Loretto resident we'll call Wilma Lerner, illustrates what I am talking about. (Although she is an imaginary person, she is a composite based on real residents, and the events and attitudes are all actual.)

Mrs. Lerner is eighty-five years old, a feisty woman, with a lively sense of humor and strong opinions. Physically, she faces severe limitations, unfortunately, because of a stroke that weakened her left side. Her hearing isn't too bad, but she can't see very well at all.

In advocating the OWL program, I was trying to persuade others that offering OWL courses was an end worth trying to achieve, because it would benefit people like Mrs. Lerner.

This is altruistic advocacy, since I advocated this cause because it would benefit such people. It is also a class-action cause, since it would benefit the members of a group defined by a common interest: physically disabled residents of nursing homes, who would welcome an opportunity to take a college course.

This group is, of course, made up of particular people, of whom Mrs. Lerner was one. Her rights (among other factors) set ethical limits on what I could do as a means to the end of getting the OWL program started.

SPEAKING FOR OTHERS

As you know, my mother believed that volunteers make some of their most significant contributions by speaking for those who cannot speak for themselves and for whom nobody else might otherwise speak.

This is advocacy as speaking for a *cause*, and it is altruistic, since the cause is one that is advocated because it would benefit *other* people. But it is not just speaking for such a cause. It is also speaking for *those people*.

This is advocacy in the narrow sense, in which advocates plead other people's causes for them. "Speaking for other people" is the defining characteristic of this kind of advocacy.

Parents who talk with school officials

on behalf of their retarded child are advocates in this sense. They plead a cause that would benefit that child for that child, speaking, not just in favor of that cause, but *for that child*.

In spite of its effectiveness, we recognize that this sort of advocacy is only a last resort.

Why?

For one thing, if other people *can* speak for themselves, then they *should*—if only to free someone who would speak for them to speak for people who really *need* someone to speak for them.

For another thing, it does not help people in the long run to speak for them, when they can speak for themselves, because the more that people can do for themselves, the better off they'll be. This is illustrated by a situation that is familiar to parents.

Susie, who is four years old, comes home wailing, "Pete hit me!" If her parents step in and read Pete the riot act, you can bet that the next time there's trouble between Susie and Pete, she would want them to do the same thing. Although she might become very good at getting other people to fight her battles for her, she would never learn to settle her own disputes herself. For her, the rewards would come from stirring up trouble, not from settling it. So she would be better off if her parents made her deal with Pete herself, helping her learn how to do this, instead of speaking for her themselves.

To the extent that people *can* speak for themselves, their advocate should therefore *let* them, speaking for them only when absolutely necessary. The best strategy is to help them plead their own cause, speaking for them as little as possible, not as much as possible. The goal should be to enable them to be effective self-advocates.

WRONG ADVOCACY

There is also an ethical reason for not speaking for people who can speak for themselves: it would be *wrong* to speak for people who can speak for themselves and who want to.

This ethical principle is illustrated by the following situation.

Suppose that you are in a restaurant, with a menu open in front of you, trying

to decide what to order. Then, without even consulting you, your companion tells the waiter to bring you a steak, baked potato, and salad with house dressing.

Wouldn't you be indignant?

Even if this is exactly what you would have ordered anyway, it would still be presumptuous of your companion to decide for you what you would have and then order it, when you were able to make your own decision and speak for yourself.

What your companion did was not just irritating, it was *wrong*, because it is wrong to speak for people who are able to speak for themselves, and who want to.

Why?

I believe that the answer lies in the very nature of *persons*, as opposed to inanimate things.

Inanimate things can only be acted upon. They cannot decide what to do and then do it. What makes people different from them is that it is up to people to decide for themselves what to do.

But, if it is up to persons to decide for themselves what to do, then they must be *entitled* to this. This is why persons have the right to *self-determination*, which is the right to decide for themselves what to do.

This right has a price. Having it entails being responsible (i.e., *accountable*) for what they decide to do. The price of being entitled to choose is being accountable for the decision.

The right to decide for themselves what to do also entails the right to speak for themselves, if they can and want to. An advocate for other persons must therefore speak for them without violating their right to speak for themselves, and also without violating their more fundamental right to decide for themselves what to do.

What makes it hard to avoid violating other people's right to speak for themselves, is that they can be able to speak for themselves in some ways, even if they can't in others. People who are incapable of arguing their own cases in court, for example, might still be able to indicate what they want or need, and therefore what they think is best for themselves. Even people who are severely incapacitated in some ways can do this much, at least sometimes.

Here is an example.

There was only one area in which Mrs.

Lerner could not speak for herself. She couldn't get around well enough to plead the cause of OWL courses by going all over the place to meet with people, or get things photocopied, weighed at the post office and mailed, etc. Even so, she wanted (and got) a wheelchair van ride to the community college, so she could "go straight to the top" and "tell them that old people have just as much right to learn as anybody else does."

She was, of course, perfectly capable of deciding for herself whether a course in literature would interest her. She was also perfectly capable of expressing a strong preference that they not read books with bad language, of saying that she wanted "her volunteer" at Loretto to read to her whenever possible, and of speaking eloquently on behalf of causes to benefit people in nursing homes, among others.

There were times when she entrusted people such as her volunteer, or Nancy Bolton, or me, with messages to relay for her. Then we spoke for her, but *with her permission*. We couldn't speak for her without it, though.

In advocating the cause of OWL courses, I was speaking on behalf of Mrs. Lerner, but it would have been wrong for me to speak *for her*, when she could speak for herself, and she wanted to.

To the extent that people *can* indicate what they want or need, however, then they *can* speak for themselves, and it would be wrong not to let them.

This gives advocates an ethical obligation not to take it upon themselves to decide what is best for those for whom they speak, when these people can make, and express, this decision for themselves. This is part of letting them speak for themselves whenever possible.

PERMISSION TO ADVOCATE

This does not mean that there is anything wrong with consulting "the experts" about what is best for the beneficiaries of advocacy. Nor does it mean that there is anything wrong with advocates using their own eyes and conscience to form an opinion about what is best for these people. What it does mean, however, is that it would be wrong for advocates to do these things *instead* of consulting the

beneficiaries themselves. Advocacy on behalf of other people requires *listening* to them, as well as speaking for them.

One way that an advocate can avoid violating other peoples' right to speak for themselves is to speak for them only with their permission, because speaking for them *with* their permission would not violate their right to speak for themselves.

Suppose, for example, that you and a friend like to order Chinese food to take out. Your friend must place an order now, so that it will be ready by the time you plan to pick it up, but your friend can't reach you to find out what you want. You have said, however, that it would be fine to order for you.

Under these conditions, there would be nothing wrong with your friend's deciding what you would have and ordering it for you, because your friend would do this with your permission—and therefore not be speaking for you when you wanted to, and could, speak for yourself.

It would be very simple to avoid violating people's right to speak for themselves, if we could speak for them only when we have their permission. Unfortunately, however, it is not always possible to get permission from them. How can an advocate get permission from a comatose patient or an infant, or even just someone who can't be reached in time by telephone?

At first, it might seem that an advocate can go ahead and speak for people like these, without their permission, because they *can't* speak for themselves. So, speaking for them would not violate their right to speak for themselves.

But here there is an important ethical complication.

Not just *anyone* is entitled to speak for the comatose patient. If the patient's next-of-kin can speak for the patient, then they are entitled to. Anyone else who wanted to speak for that patient would need the permission of those relatives or that person would violate their right to speak for that patient. A similar thing is true of the infant, whose parent or legal guardian is entitled to speak for that child.

Even in an office, if Mary Johnson is out sick, not just anyone can speak for her in her absence. There is someone who is authorized, and therefore entitled, to

speak for her, when she is unavailable. Anyone else who wanted to speak for her would need permission from that person.

Sometimes volunteers are advocates for people for whom they are authorized to speak anyway—like the parents of the retarded child, for example. In which case, of course, there would be nothing wrong with their speaking for them.

Sometimes, however, volunteers perceive the need for *someone* to speak for people who can't speak for themselves, when those who are authorized to speak for them are unwilling, or unable, to speak for them, but are perfectly willing to let volunteer advocates speak for them. In which case, again, there would be nothing wrong with speaking for them.

What *would* be wrong in most circumstances, though, would be for an advocate to speak for people who can't speak for themselves, when those who are authorized to speak for them *don't want* that advocate to speak for those people. If, for example, an advocate spoke for the retarded child, when the parents didn't want that advocate to speak for their child, then the advocate would violate the parents' right to speak for their child.

A dilemma is presented, however, if the authorized spokesperson takes a position that is not in the best interest of the person unable to speak for him or herself. Then the advocate must carefully determine how to best represent the interests of the beneficiary.

But there are some people, who have nobody who is authorized to speak for them, and who are unable to get the help that they need, because they are unable to speak for themselves. It would not be wrong for an advocate to speak for them, even without any authorization, because it would be ethically intolerable not to help other people, when they need help and can't help themselves, and nobody else is responsible for their welfare. In fact, it would be wrong *not* to speak for them.

CONCLUSION ... AND SPECIAL ASSETS OF VOLUNTEER ADVOCACY

What may we conclude about volunteers and the ethics of advocacy?

Advocacy of a given cause (whether the advocate is paid or not) is ethically right

only if the cause is good and the means used in pleading it are right. The means used in pleading it are right only if they do not violate the right of those, on behalf of whom the advocate speaks, to speak for themselves whenever they can and want to. This right and, more fundamentally, the right to self-determination, which all persons have, are absolute ethical limits on what advocates may do in pleading a cause.

Advocates, like anyone else, have the right to self-determination, which means that all advocacy is voluntary, in the sense that it is up to advocates themselves to decide which causes to plead. If they find themselves unwilling to plead a cause that someone wants them to plead, then it is up to them to refuse to plead it. If they do decide to plead a certain cause, however, then they are personally responsible for which cause they plead and the means by which they plead it. That volunteer advocates are *unpaid* does not add any ethical complications that I can see.

There is one respect in which advocacy is *not* voluntary, however. Once we have promised to advocate a certain cause, then we are no longer free not to advocate it. We have an ethical obligation to do what we have promised to do, and so it would be wrong not to advocate that cause. This is true, even if we are not being paid to advocate it.

All advocates, paid or unpaid, face the ethical limit of the rights of those on whose behalf they speak, but unpaid advocates have some important advantages over paid ones.

Being unpaid makes it easier to stay within the ethical boundaries of advocacy. For example, it simplifies the decision about whether to advocate a certain cause, because the question of whether to advocate a bad cause to keep a needed paying job does not come up.

Being unpaid also makes it easier to be *effective*. We noted that unpaid advocates have a credibility that comes from being perceived as believing sincerely in a cause. There are lots of other advantages, like not having a stake in defending the *status quo*, that I haven't gotten into here.

Unpaid volunteer advocates *are* effec-

tive. They speak with creativity, intelligence, and sensitivity, in favor of an incredibly rich variety of important causes that make the world a better place for everyone. They speak on behalf of people for whom nobody is paid to speak, meeting needs that would otherwise not be met, and helping those who would not otherwise get help.

My mother devoted her life to the cause of volunteers and the value of what they do. It was a life well spent.

I am grateful to Ivan Scheier, Susan Ellis, Anne Honer, Betsy van Inwagen, Robert Winne, and Nancy Bolton Calhoun for valuable comments and suggestions.