

NOTES ON THE STRUCTURE AND FUNCTION OF PROFESSIONS, WITH SPECIAL REFERENCE TO THE NAAP MODEL FOR PSYCHOANALYSIS AS A PROFESSION

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Introduction

American psychoanalysts of the IPA are facing a new challenge. A small group of practitioners, identifying themselves as “psychoanalysts”, have mounted a progressively successful effort to promote themselves as the representatives of American psychoanalysts to governmental and legislative bodies. This group is called the National Association for the Advancement of Psychoanalysis, or NAAP. NAAP was formed in 1972 for the twin purposes of uniting a wide spectrum of practitioners who identify themselves as “psychoanalysts” in a single umbrella organization, and deploying their pooled resources in an effort to establish psychoanalysis as an autonomous profession, with its own license to practice and its own regulatory authorities that are independent of the existing mental health professions. Twenty American institutes joined in the founding of NAAP, including institutes with very diverse theoretical commitments (for example, Adlerian, Jungian, and so-called “modern psychoanalytic” schools of thought), and varying ideas about what constitutes psychoanalysis (such as one session per week). Together, the organizers of NAAP developed criteria for the certification of analysts and established the American Board of Examiners in Psychoanalysis (ABEP) to certify practitioners meeting those criteria as “psychoanalysts.” The criteria for NAAP certification in psychoanalysis were minimal by IPA or other mainstream standards and NAAP’s membership began to grow. Today, NAAP represents approximately 1,000 members, about 650 of whom are listed in their bulletin and on their web-site as NAAP-certified psychoanalysts.

Although NAAP is relatively modest in size, it has acquired a rich treasury which enables the organization wield a level of influence that is disproportionate to its numbers. NAAP has secured passage of licensing laws for the regulation of psychoanalysis in three states: Vermont, New Jersey, and, most recently, New York. NAAP is presently active in the state of California, and plans similar efforts in other states. The new state laws that have been enacted, as well as those that NAAP is currently promoting, are all similar in character. They all reflect the NAAP model of psychoanalysis as an independent profession and incorporate NAAP standards for training and certification. In brief, they establish psychoanalysis as an “entry level” profession, with no advanced educational requirements for entering psychoanalytic training, and minimal educational requirements for attaining a license as a psychoanalyst.

In this paper, I will review on NAAP’s efforts in New York State, and describe the new state licensing law which has resulted from their efforts. I will then attempt to conceptually situate this account into a formal frame of reference drawn from sociology

of the professions. The New York experience is distinctive, shaped by its own specific conditions, including its political climate, the character and size of its professional communities, the character of its licensing laws and regulatory agencies, and so on. Nevertheless, the issues and political dilemmas are not utterly unique, and familiarity with the New York experience may help clarify the specific challenges and issues posed by NAAP's efforts elsewhere. Insofar as other psychoanalytic communities around the world face challenges by groups similar to NAAP, this examination of the New York experience may prove to be useful to the psychoanalysts outside the United States. Moreover, the perspective offered by the sociology of the professions provides a set of concepts and a terminology that can facilitate our analysis of the problems we face in our individual state and countries, and enhance the effectiveness of our communication with each other.

The New York Experience

New York is a populous state, most of whose population lives and works in the greater metropolitan area of New York City. The state is home to five IPA-accredited psychoanalytic training institutes and societies, as well as two other IPA affiliate societies. In addition to these IPA groups, there are a much larger number of "mainstream" non-IPA institutes whose programs of training are not dramatically dissimilar from those of the IPA institutes. These are typified by the William Alanson White Society, the Horney Institute, NYU Postdoctoral program, the Postgraduate Center, and many others. Most of these programs offer a range of theoretical approaches, although a few reflect particular orientations more exclusively than others (e.g., the White and Horney institutes). They differ from IPA institutes in their adoption of a three session per week frequency requirement for of training and control analyses. Finally, there are a growing number of institutes whose theoretical orientations are outside the mainstream of psychoanalytic thought and whose standards for training are very relaxed, allowing training and control analyses that are conducted at a frequency of one session per week. These are the groups that have joined NAAP or supported the NAAP agenda.

It is very difficult to establish an accurate census of analysts in this state. There are about 900 IPA analysts in New York State. Although some societies outside the IPA report exact membership numbers, membership data often excludes institute graduates who are not society members, and many society membership lists include significant overlapping membership. By examining the available numbers, I estimate that there probably an additional 2,500 analysts who are graduates of mainstream institutes supporting a three session per week frequency standard for analysis. Finally, the NAAP registry lists 435 practitioners in New York state who are certified by NAAP as "psychoanalysts." By these numbers, there are about 3,850 practitioners in New York state who identify themselves as analysts, of whom NAAP-certified analysts represent slightly more than 11 percent.

NAAP was able to achieve its legislative victory in New York State with these relatively small numbers by allying itself with three other practitioner groups who were similarly

seeking a state license. These groups include “mental health counselors,” “marriage and family therapists,” and “creative arts therapists.” Together, these groups were able to form a sufficiently potent constituency to successfully lobby for a joint bill licensing all four new “professions.” As will be seen, the ensuing legislation reflects these origins. This success of the legislative effort demonstrates the fallacy of assuming that a small practitioner group is, on that account, of no consequence to established groups.

As stated above, the New York State law establishes very low standards for becoming a “licensed psychoanalysts.” The law established a shared standard for all four newly licensed professions. In each of the three other professions, a master’s degree was a prerequisite for licensing. Accordingly, the new law specifies that coursework in a psychoanalytic institute shall be comparable to that required for a master’s degree. This is, of course, minimal in comparison to requirements at IPA or other “mainstream” institutes. Moreover, this law requires only 1,500 hours of supervised practice (not necessarily in the conduct of psychoanalysis), 150 hours of supervision, and 300 hours of personal analysis. Again, it should be emphasized that there are no standards regarding the frequency of sessions, so that a treatment conducted at a frequency of one time per week or less may constitute a training or control analysis. Similarly, there are no special qualifications for training or control analysts. Insofar as the new law requires no prior mental health training or experience, these standards define the total clinical training required to become a “licensed psychoanalyst” in New York State.

It appears that the legislators responsible for the New York State law know that the educational standards for licensure as a psychoanalyst are inadequate for independent practice. Accordingly, the New York licensing law prohibits "licensed psychoanalysts" from treating serious mental illnesses without medical oversight. Section 8407 of the New York law reads:

“It shall be deemed practicing outside the boundaries of his or her professional competence for a person licensed pursuant to this article, in the case of treatment of any serious mental illness, to provide any mental health service for such illness on a continuous and sustained basis without a medical evaluation of the illness by, and consultation with, a physician regarding such illness... For the purposes of this section ‘serious mental illness’ means schizophrenia, schizoaffective disorder, bipolar disorder, major depressive disorder, panic disorder, obsessive-compulsive disorder, attention-deficit hyperactivity disorder and autism.”

Finally, the lowly character of the new profession is indicated by the composition of the state body that will regulate the license and all licensed practice. In New York State, all professions are regulated by “state boards”, composed of members of the profession to be regulated, who are selected by the Office of the Professions within the state education department. Because the New York law to license psychoanalysts was passed in collaboration with three other occupational groups, the state board in New York, called the Board of Mental Health Practitioners, was constituted to reflect these constituencies. The board has 17 members, three from each of four newly licensed professions, three so-called “public representatives” and a single psychiatrist. Since all licensing matters are

subject to a vote of the entire board, the regulation of psychoanalysis will be subject to a heterogeneous group of practitioners and public representatives. It should be added that all three practitioners representing psychoanalysis are members of NAAP. No members of any other existing mental health profession were appointed to the board. No members of IPA or any other mainstream psychoanalytic organization were appointed, although a number of highly qualified analysts from this state offered to serve.

The exclusion of IPA and other mainstream analysts from this state board reflects the fact that the new law was intended to regulate the practices of otherwise unlicensed practitioners calling themselves analysts. Members of the traditional mental health professions, such as psychiatry, social work, and psychology, are entitled to practice psychoanalysis without any special license, because psychoanalysis is within the scope of practice defined by each of their respective licensing laws. Lawmakers do not expect these licensed professionals to seek a second license to practice psychoanalysis. Ironically, however, these professionals will not be allowed to refer to themselves as “licensed psychoanalysts” (even though their licenses encompass psychoanalysis) unless they obtain the new license, and subject themselves to the rules and regulations of that profession, including the requirements for medical oversight when treating “severe” disorders. In effect then, the law creates two classes of psychoanalyst without differentiating them, except by conferring upon the least trained practitioners the title of “licensed psychoanalyst” while barring the most highly trained practitioners from doing so.

This challenges posed by these events are difficult to assess. Reactions to the new law vary, with some analysts deeply shaken by the new law, while others feel are relatively undisturbed. Some analysts feel that the new law will bring the otherwise wild practices of the unlicensed practitioners under some regulatory influence, and therefore protect the public better. This is a view held by the administrators at the Office of the Professions. Others feel that the new law will not affect IPA and mainstream analysts at all. After all, they argue, the newly licensed practitioners are a small group who have been practicing all along anyway. Perhaps these questions can best be answered if we have a wider perspective in mind. In the next section of this paper, I will examine the perspective offered by the sociology of the professions.

THE SOCIOLOGY OF THE PROFESSIONS

Defining our Terms: “Professions” and Professionals”

The professions in modern society are a result of the industrial revolution, which produced an unprecedented array of highly specialized occupational roles. Early in the last century, many occupations performing these specialized functions began to characterize themselves as “professions.” Some pursued a socioeconomic strategy of enhancement that sociologists call “professionalization.” As the twentieth century wore on, the terms “profession” and “professional” were employed by a growing number of occupational groups seeking social prestige and advancement. The widespread use of the

terms “profession” and “professional,” often by occupational groups whose work was not highly specialized, was noted by sociologists who recognized an important social development in the organization of work. The growing role of the professions in modern society, noted by Talcott Parsons in his classic essay on this subject (1939, p. 457), was paralleled by the emergence of the “sociology of the professions” as a dominant theme in sociological studies of work (Ritzer, 1973; Smigel, 1954, 1963).

Today, the terms “profession” and “professional” are everyday terms, commonly employed to suggest a range of meanings. These terms can be employed to suggest competence in the performance of a function (“He or she is a real pro”), to connote the high prestige of an occupation group or practitioner (“Dental hygiene has become a real profession”), or to characterize work performed to earn an income (“After the Olympics, he plans to turn professional”). In addition, the term “profession” can simply be used as a synonym for career (“acting is a hard profession - secretarial work would be a more reliable profession”). There is certainly nothing wrong with the common usage of these terms. Sociologists who have studied the characteristics of occupations, however, have come to employ the terms “profession” and “professional” in a more specific sense. In the sociological sense, a “profession” is an occupational group with a constellation of typical characteristics. A “professional,” in this sense, is a member of a “profession.” Although many occupations call themselves “professions,” and many practitioners call themselves “professionals,” from a sociological perspective, these characterizations are often inaccurate.

As the sociological study of occupations developed, the identifying characteristics of professions were variously defined, but an emerging consensus about the core characteristics of a profession became apparent early on. It was clear to virtually all investigators that professions are occupational groups that possess highly specialized skills based upon an abstract intellectual knowledge base, which can be mastered only through intensive study. Professions are thus differentiated from a host of other skilled occupations which are not based upon an abstract knowledge base (Flexner, 1915; Carr-Saunders, 1928; Carr-Saunders and Wilson, 1933). Thus, medicine is a profession, but interior decorating is not; architecture is a profession, but acting is not; law is a profession, but literary criticism is not; and so on. This fundamental identifying feature is recognized by virtually all sociologists. The abstract knowledge base, however, is not the only differentiating attribute of a profession.

In addition to the possession of a specialized skill based upon an abstract knowledge base, the earliest students of the professions also noted that professions are differentiated from other groups by professional associations which establish rigorous standards training and for practice. Among these standards is always an ethical code which sociologists today call the “service ideal.” These standards are designed to ensure that practitioners are “competent” as well as “honorable” (Flexner, 1915; Carr-Saunders and Wilson, 1933). Marshall (1939), writing a few years later, emphasized the same point, as have virtually all sociologists investigating the professions.

William Goode (1957) refined the sociological discourse on the professions by introducing the notion of a continuum of occupations, with the professions forming one pole and the least skilled and least organized occupations forming the other pole. He constructed an “ideal type” to characterize the essential features of a profession, identifying five hallmark attributes: 1) systematic theory; 2) social authority; 3) community sanction; 4) an ethical code; and 5) a professional culture. In two later papers, Goode (1960, 1969) recognized the primary importance of an abstract knowledge base and the establishment of the service ideal. He regarded these two features as the “core generating attributes” of a profession. In Goode’s account, these attributes generate a host of derivative features which characterize a mature professions. He identifies ten derivative attributes of an “ideal type” profession (1960, p. 903):

- 1) “The profession determines its own standards of education and training.”
- 2) “The student professional goes through a more far reaching adult socialization experience than the learner of other occupations.”
- 3) “Professional practice is often legally recognized by some form of licensure.”
- 4) “Licensing and admission boards are manned by members of the profession.”
- 5) “Most legislation concerned with the profession is shaped by that profession.”
- 6) “The occupation gains in income, power, and prestige rankings, and can demand higher caliber students.”
- 7) “The practitioner is relatively free of lay evaluation and control.”
- 8) “The norms of professional practice enforced by the professions are more stringent than legal controls.”
- 9) “Members are more strongly identified with the profession than are members of other occupations with theirs.”
- 10) “The profession is more likely to be a terminal occupation. Members do not care to leave it, and a higher proportion assert that if they had it to do over again, they would again choose that type of work.”

Goode’s characterization of the “ideal type” profession epitomizes a wide consensus of sociological opinion about the basic characteristics of the professions. “If one extracts from the most commonly cited definitions all the items which characterize a profession... a commendable unanimity is disclosed: There are no contradictions, and the only differences are those of omission” (Goode, 1960, p. 903). This consensus of sociological opinion is also asserted by Barber (1963), Ben-David (1963), Jackson (1970), Nosow and Form (1962), Parsons (1969), Pavalko (1971), Turner and Hodges (1970), and others.

The Structure and Function of Professions: The “Corporate Bargain”

The functional significance of the characteristic attributes of the profession is revealed by a structural-functional analysis of the professions and their role in the social structure. As observed above, the scientific and industrial revolutions of the nineteenth and twentieth century produced a progressive specialization of occupational roles. As society became increasingly dependent upon occupational specialists, occupational groups possessing needed expertise acquired increased potential for socioeconomic advancement. This potential is greatest when an occupation's services are most needed and when its knowledge is least accessible to outsiders.

The establishment of a profession, like the formation of a guild or a union, is a collective strategy for the advancement of an occupational group. Professionalization, like unionization and guild formation, entails the formation of an organized collective that can effectively further the aims of its members in relation to the larger society. The strategy of professionalization differs from other collective strategies, however, because it is formed to exploit the unique resources and position of the professionalizing occupation. The organized collective pursues a strategy of professionalization by engaging in a complex set of transactions with the larger society, with other occupational groups, as well as with its own members. These transactions all serve to promote the establishment of a “corporate bargain” between the profession and the containing society. It is this “corporate bargain” that constitutes the essence of professional status in society.

Not every occupation can pursue this strategy. Professionalization requires possession of a body of abstract knowledge that is a mystery to the laity (Goode's first “core generating attribute”). This abstract knowledge is the primal source of the profession's social power. But this power, as described above, is a double-edged sword. Because professional services are based upon esoteric knowledge in which the laity cannot participate, the public is at a disadvantage in its relations to the professional. The client seeking to utilize the esoteric service cannot use common sense or independent judgment to measure a practitioner's competence, to assess the suitability of a proposed professional service or even to judge the skill with which it has been performed after it has been rendered. As T.H. Marshall (1939) observed, professions are occupations in which the prevailing business norm of “caveat emptor” (“let the buyer beware”) cannot apply.

This vulnerability militates against the needs of both the buyer, who cannot beware, and against the expert, who cannot market his service without the buyer's trust. To resolve this dilemma, the seller must establish a relationship in which the buyer is assured that the seller is indeed competent and expert, and will not abuse the advantage of his expertise. The promulgation of the “service ideal” (Goode's second “core generating attribute” of a profession) is an attempt to establish a fiduciary relationship between client and practitioner. The “service ideal” is an inevitable concomitant of the esoteric nature of professional expertise. The “service ideal” and the fiduciary relationship it is designed to establish, are universally recognized as features of a “profession” and

“professional relationships” (Caplow, 1958; Hughes, 1958; Goode, 1957, 1960, 1961, 1969; Marshall, 1939; Wilensky and Lebeaux, 1965).

But the mere proclamation of a service ideal by an individual practitioner is insufficient to establish a functioning fiduciary relationship. If “caveat emptor” cannot apply, the prospective client is still left to take a leap of faith. If the client has only the practitioner’s assurances of his expertise and honesty, he must rely upon his own individual resources to assess the practitioner’s claims. Such a transaction is inevitably fraught with danger and anxiety for the client. Both the prospective client as well as the practitioner need a social mechanism that will enable the client to trust the practitioner’s claims so that a functional fiduciary relationship can be established. The formation of a profession is an attempt to satisfy the client’s need for assurance as well as the practitioner’s need for the public’s trust.

The establishment of a profession is an attempt to structure the transaction between the individual practitioner and the individual client by situating it within a set of standard arrangements that are developed between an organization of practitioners and society as a whole. Professionalization is an irreducibly collective process. It is only through a strong organization, whose members are held to high technical and ethical standards, that practitioners aspiring to professional status can persuade the public that the services they offer are both useful and safe, and it is only through a strong organization that these assurances can be safeguarded. The formation of the collective allows the profession as a whole to be assessed by the organs of society. This assessment occurs informally, through social and cultural networks, as well as formally, by scientific organizations and bodies of governance. The efforts of a professional group to establish its credibility are not simply efforts to establish good public relations. Good public relations are part of every marketing scheme. The strategy of professionalization differs from all other campaigns for occupational advancement by the ultimate goal of establishing a “corporate bargain” with the larger community (Goode, 1969).

The corporate bargain is a set of arrangements between the occupation group and society as a whole, designed to safeguard the interests of the public in return for the social advancement of the profession. As part of the corporate bargain, the profession establishes a “sacred trust” with the wider community. The profession establishes high educational standards and admission requirements, exacting standards for practice, and a strict code of professional ethics, which operationalize the service ideal. In accordance with this collective contract, the profession guarantees to police its own membership to ensure that all its members meet the established educational and ethical qualifications. The profession as a whole certifies its members to the public so that the public can identify them (differentiate them from others) by reference to their professional credentials. All these procedures enable the profession, as a collective, to assure the public that each of its duly credentialed members will be fully competent and trustworthy.

The containing community reciprocates by granting the professional a legal monopoly, usually reinforced by licensing laws, and by affording the profession the right to

autonomous, self-regulated practice, free from the interference of lay control. Professions typically protect these special privileges by enforcing adherence to stricter and more rigorous educational and ethical regulations than those required by the wider community. It will be seen that the establishment of the corporate bargain between a profession and the wider society produces the ten “derivative traits” of the profession, described above (Goode, 1960).

The establishment and maintenance of this corporate bargain is the essence of “professional” status. Professional status is never simply a matter of individual competence or expertise. No matter how exceptional one’s expertise or moral integrity, a practitioner is only a professional by virtue of membership in a profession. Professional status is fundamentally a collective rather than an individual status, and it is inextricably dependent upon the functioning of the profession as a whole. A professional group must have a sufficient level of organization and social cohesion to regulate its own boundaries, to set standards for competence and conduct, to enforce adherence of the membership to those standards, and to negotiate licensing and other arrangements with the wider community. An occupational group that cannot carry out these functions cannot establish the “corporate bargain” that defines a profession. Goode (1957) likens a profession to a “community within the community.” While recognizing that professions vary in the degree to which they are truly communities, Goode cites eight characteristics which justify conceptualizing a profession as a community (p. 194):

- 1) “Its members are bound by a sense of identity.”
- 2) “Once in it, few leave, so that it is a terminal or continuing status.”
- 3) “Its members share values in common.”
- 4) “Its role definitions vis a vis both members and non-members are agreed upon and are the same for all members.”
- 5) “Within the area of communal action there is a common language which is understood only partially by outsiders.”
- 6) “The community has power over its members.”
- 7) “Its limits are reasonably clear, though they are not physical and geographical, but social.”
- 8) “Though it does not produce the next generation biologically, it does so socially through its control over the selection of professional trainees, and through its training processes it sends these recruits through an adult socialization process.”

Professionalization and Deprofessionalization

Sociologists have attempted to describe the “natural history” of occupational groups that transform themselves into professions. Caplow (1954, p. 159) delineated four steps which he argued are “quite definite,” adding that “even the sequence is explicit so that we may illustrate it with equal facility from the example of newspaper reporters (journalists), real estate agents (realtors), undertakers (morticians), junk dealers (salvage consultants), or laboratory technicians (medical technologists).” He goes on to describe these steps:

- 1) “The first step is the establishment of professional associations, with definite membership criteria designed to keep out the unqualified.”
- 2) “The second step is the change of name, which serves the multiple function of reducing identification with the previous occupational status, asserting a technical monopoly, and providing a title which can be monopolized, the former one being usually in the public domain.”
- 3) “The third step is the promulgation and development of a code of ethics which asserts the social utility of the occupation, sets up public welfare rationale, and develops rules which serve as further criteria to eliminate the unqualified and unscrupulous...”
- 4) “The fourth step is a prolonged political agitation, whose object is to obtain the support of the public power for the maintenance of the new occupational barriers.”

Hughes (1958, p.133-5) similarly described the typical processes by which many occupational groups transform themselves into professions, noting the formation of training schools, the establishment of formal courses of study with ever higher terminal academic degrees, the initiation of research endeavors in the new professional field, the multiplication of prerequisites for professional training, and attempts to secure professional licensing. “These developments inevitably bring a campaign to separate the sheep from the goats, to set up categories of truly professional and of less than professional people.”

Wilensky (1964) performed a comparative study of eighteen occupations, and concluded, much like Caplow and Hughes, that there is indeed a “typical” sequence of events in the process of professionalization:

- 1) “An obvious first step is to start doing full time the thing that needs doing...”
- 2) “The question of training soon arises. The early recruits, or a client public, or less often, a professional association press for the establishment of a training school...”
- 3) “Those pushing for prescribed training and the first ones to go through it combine to form a professional association... At this point they may change the name of the occupation...”

4) “There will persistent political agitation in order to win the support of law for the protection of the job territory...”

5) “Eventually rules to eliminate the unqualified and unscrupulous, rules to reduce internal competition, and rules to protect clients and emphasize the service ideal will be embodied in a formal code of ethics.”

Goode contends that these typical sequences described by Hughes, Caplow, and by Wilensky are “really a description of the many areas in which an emerging profession must participate in its transactions with the other occupations and the society” (Goode, 1969, p. 275). He describes the complex interplay between the occupation’s resources which determine an occupation’s experience of professionalization. As occupations establish themselves, they must compete with other occupations for prestige, money, and power. The success of these efforts potentiates a cycle of progressive social advancement. As an occupational group gains in prestige, for example, it can parlay its new social status for greater income. Greater income may be converted into greater political influence, greater prestige, or both. As an occupation rises in the social structure, it can attract increasingly competent new recruits, raise professional and educational standards, and influence social legislation, all of which further contribute to the accumulation of prestige, money, and power. As membership becomes increasingly desirable, the profession becomes increasingly cohesive. It can claim a greater allegiance from its members and exert a greater influence over their activities. Moreover, as a profession rises in the institutional order, it can command greater commitments of time, energy and money from its members to use for the continued enhancement of the profession’s standing (Goode, 1969).

While the cohesion of the collective is essential to a profession, professions are never actually as cohesive as they seem. Bucher and Strauss (1961) emphasize that professions are not static formations, but are always in process, and subject to divisions, or “segmentation,” over many issues, including theories, techniques, mission, identity, and corporate strategies of professional enhancement. Such divisions are typically hidden from public view to protect the professions public image. Bucher and Strauss (1961) observe that segmentation is apt to occur within a profession when new specializations are developed. The introduction of psychotherapy as a specialized activity of social workers, psychologists, and psychiatrists precipitated marked divisions within each of these three professions. These were so profound, and the similarities that emerged between therapists across disciplines were so striking, that psychotherapists began planning a “fifth profession” (Henry, Sims and Spray, 1971; Holt, 1971). Although the fifth profession never materialized, the proposal itself revealed significant potential for “alliances” (Bucher and Strauss, 1961) between psychotherapists of different primary disciplines. The existence of interdisciplinary psychoanalytic groups such as the IPS represents one fulfillment of this potential.

It is a sociological irony that while cohesion is essential for professionalization, efforts at professionalization themselves typically engender the most intense internecine conflicts (Bucher and Strauss, 1961; Caplow, 1954; Hughes, 1958; Wilensky, 1964; Goode, 1960).

Such conflicts are inevitable because a quintessential function of professionalization is the separation of the goats from the sheep. Opposition to professionalization inevitably emanates from those who stand to be ranked as “goats” rather than “sheep.” Professionalization therefore inevitably sparks fierce battles over criteria for professional recognition and boundary formation around the collective. The outcome of such struggles must inevitably influence the resources and prospects of the professional group. A wider professional community, with less stringent standards, will produce a different set of resources (e.g., more political power but less prestige) while a smaller community that establishes more exacting standards for training and certification, may generate greater prestige but less political muscle, at least initially). Goode’s (1969) analysis of the interplay of resources is germane to the assessment of a group’s prospects and optimal strategy.

Internequine struggles over credentialing and licensing sometimes eventuate in the promulgation of a hierarchy of credentials, with some members of a profession attaining higher credentials than others. If a profession sets low standards that predict poor service, a “segment” may differentiate itself from the larger profession by establishing “advanced” credentials. In social work, for instance, when the National Association for Social Workers promoted a general credential for independent practice (ACSW), the clinical segment of the profession introduced a series of advanced clinical credentials, such as the “National Registry of Health Care Providers,” the “Board Certified Clinical Social Worker,” and finally, the current “Board Certified Diplomate” (“BCD”). The enactment of licensing laws is a typical occasion for the establishment of such advanced credentials. Licensing criteria are often set very low in order to encompass a large body of professionals. When this occurs, professions may generate advanced credentials, such as the “Board Certification” that medicine has established for each of its specialties or the “ABPP” credential in psychology. Such designations can function to establish a separate “corporate bargain,” albeit one not protected by separate licensure. In certain respects, psychoanalysts in the three established mental health professional use the title “psychoanalyst” to further differentiate themselves from “less advanced” colleagues practicing psychotherapy (Perlman, 1995).

PSYCHOANALYSIS AS A PROFESSION

Although proposals for establishing psychotherapy as an autonomous profession (Holt, 1973; Henry, Sims, and Spray, 1973) are all but forgotten, the nucleus of an autonomous profession of “psychoanalysis” has slowly been forming within the IPA societies of the United States. Training in all IPA societies of the United States is now interdisciplinary, and a small but growing number of new recruits are entering psychoanalytic training from backgrounds in disciplines outside the mental health professions. Our shared interests, activities, journals, and educational programs strongly suggest that we are functioning as a cohesive community. A review of the attributes of the profession described above would suggest that we are more or less a profession right now. We have developed a specialized skill based upon abstract knowledge and have formed a professional community to further our professional capacities and standing in society. Our communities are clearly bounded and reproduce themselves. Our members share a

common language, common values, and a common sense of identity. We have generated criteria for competence as well as ethical conduct and have created the means to enforce them. On the strength of these achievements, we have attained an enviable measure of social authority and recognition. We have not, however, fully satisfied the criteria for definition as an “ideal type” profession, because we did not seek, and have not attained, a license to practice as “psychoanalysts.” Until now, most analysts in the United States have been licensed in one of the mental health professions, and have relied on these licenses to practice. This failure to complete our development as a profession by securing licensure for psychoanalysis has now become a source of vulnerability that we must address.

Only a license, issued by the government, can protect a professional “title.” Because we have not been licensed as psychoanalysts, there was nothing in the law to prevent other practitioners from calling themselves psychoanalysts and forming their own professional communities. In the United States, the medical orthodoxy of the APsaA resulted in the development of “unauthorized” training programs outside the IPA, some of which were substantially comparable to the training authorized by the IPA, with similar educational programs and standards for certification. Some of these institutes were eventually admitted to the IPA and now constitute the component societies of the Confederation of Independent Psychoanalytic Societies of the U.S. Other institutes, such as the William Alanson White Institute or the Karen Horney Institute, remain outside the IPA, but within a wide mainstream of recognized psychoanalytic thought and practices.

While neither the IPA nor the mainstream psychoanalytic groups outside the IPA were seeking licensure for psychoanalysis, the “National Association for the Advancement of Psychoanalysis” (“NAAP”), has been doing so very effectively, achieving state certification in New Jersey and Vermont, and licensure in New York. These laws formally establish psychoanalysis as an independent “entry level” profession. Criteria for licensure are based on NAAP standards, which permit training and control analyses to be conducted at a frequency of one session per week or less.

Some observers argue that the NAAP licensing law represents an advance in the professionalization of psychoanalysis because a license conferring a protected title is a hallmark of a mature profession. From the point of view of NAAP practitioners who are not otherwise licensed or who are not recognized as “psychoanalysts” outside their own marginal communities (e.g., a nutritionist who has trained in a Jungian institute), the bill does indeed represent a major advance. From a sociological point of view, however, the NAAP bill does *not* license psychoanalysis as a full profession but as an occupational group closer to the middle of Goode’s continuum of occupations, since it does not possess full autonomy (medical oversight is required). Sociologists characterize such occupations as “semi-professions” (Carr-Saunders, 1955; Etzioni, 1969) because they possess some, but not all, the characteristics of a true profession.

The implications of the NAAP licensing law for mainstream analysts can be assessed by comparison with a sociological description of how professions are formed and how they are governed. In contrast to the sociological model, the new law was promoted by

practitioners who are outside the professional community of practitioners who have historically been identified and recognized as psychoanalysts, whose total population amounts to approximately ten percent of the national population of mainstream analysts, and whose membership includes virtually no practitioners from mainstream groups. Put simply, mainstream analysts are not part of the new profession of “psychoanalysis.”

- 1) The new “profession” of psychoanalysis does determine its own standards of education and training, but traditional psychoanalysts do NOT determine licensing standards.
- 2) The student professional does NOT go through a more far reaching adult socialization experience than the learner in other occupations (no more than “the substantial equivalent of a master’s degree” according to the New York law).
- 3) Licensing and admission boards are manned by members of the new profession, but are NOT manned by members of the traditional professional community of psychoanalysts.
- 4) The members of the new profession are NOT bound by a sense of identity with any segment of the population of traditionally trained psychoanalysts.
- 5) The combined group of practitioners does NOT constitute the professional community of psychoanalysts, comprising, at best, a small fraction of the wider psychoanalytic community.
- 6) The new profession does NOT necessarily gain in income, power, and prestige rankings. This remains to be determined by many factors, including the debased character of the license and the reaction of the mainstream community to these developments.
- 7) The new profession may NOT necessarily be able to demand higher caliber students. Again, this remains to be seen. The actual status and attractiveness of a career as a “licensed psychoanalyst” in New York is compromised by the restrictions that define it as a “semi-profession.”

THE DANGER TO PSYCHOANALYSIS

Why is this a threat to us? After all, won’t each of us go on practicing as before? We must remember, however, that professional status is a collective status that derives from the “corporate bargain” that is formed between a professional community and the wider society. To maintain this “corporate bargain,” a profession must fulfill its collective responsibility for the establishment of adequate standards for competence and conduct, for proper exercise of authority to ensure adherence to these standards, and for effective identification of its members to the public. The new laws undermine our capacity to exercise these responsibilities.

The new laws change the meaning of the title “psychoanalyst” by conferring it upon an occupational group which is outside our professional community and over whom we have no regulatory authority. As a result, we will share a professional title with practitioners certified and licensed under minimal standards. How will the public tell us all apart? This confusion of professional identities poses a danger to the public as well as to mainstream psychoanalysts. Prospective patients who are drawn to psychoanalytic treatment by its prestige and scientific achievements, including our growing body of outcome studies, may confuse our capabilities with those of the newly licensed "psychoanalysts." Other prospective patients, who know little about psychoanalysis, will view an "official" state license as an assurance of competence, inspiring a level of trust that may not be warranted. The newly licensed psychoanalysts will surely benefit from the successful practices of traditional analysts, but how will we be affected by their practices? Whatever their impact upon the reputation of psychoanalysis, we will be affected by it -- unless we differentiate ourselves from those who share our title but not our standards.

Our problem is not unprecedented. In the early years of the last century, the reputation of psychoanalysis was persistently undermined by the activities of charlatans and incompetent practitioners calling themselves "psychoanalysts". Ernest Jones, for example, cited an English publishing company marketing a short correspondence course in psychoanalysis, and promising its students a lucrative income (Jones, 1957, p.43). In the 1920's, the activities of "quacks calling themselves psychoanalysts" prompted a New York civic leader to call for the licensing of psychoanalysts (Gay, 1988, p.492). Freud was well aware that the status and prestige earned by psychoanalysis could be exploited by ill trained practitioners. He understood that it was necessary to establish adequate standards for training and practice, and to differentiate trained psychoanalysts from others who merely identify themselves as such. The International Psychoanalytic Association was formed to make such a differentiation possible (Freud 1910, p. 226-227; 1914, p. 43).

A PLAN FOR ACTION

I believe that responsible psychoanalysts must unite and act together to establish a more professional structure to protect ourselves as well as the public. The Confederation of Independent Psychoanalytic Societies has formulated a two-track strategy.

First, we must act to differentiate ourselves from the growing number of practitioners who call themselves “psychoanalysts” and who are now being licensed as such in three states. We propose to create one or more credentials to establish a differentiated group of psychoanalysts. This strategy may be pursued on a national level in conjunction with other IPA societies. Ideally, however, we would wish to work with the IPA to establish an international credential, based upon IPA membership or, perhaps, on an equivalent standard. In our view, international certification by the IPA (or by a certifying body created by the IPA) would be persuasive and meaningful, representing the highest standards for psychoanalytic practice in the world, supported by the oldest and largest

psychoanalytic community in the world. An international IPA certification would empower psychoanalysts in all parts of the world to identify themselves to their relevant publics, including the lay community, the news media, and the regulatory bodies governing professional practice.

As stated above, the IPA was established to promote such a differentiation between qualified analysts and practitioners who claim such qualifications without the requisite training. Unfortunately, there is no IPA credential or other designation that is recognizable to the public. The IPS is now working to alert the IPA about our situation and seeking their active participation in creating a recognizable credential that all IPA psychoanalysts can employ in representing themselves to the public. The IPA has recently generated a credential certifying child and adolescent analysts of the IPA. It is reasonable to assume that similar certification can be provided for all IPA analysts. Such a credential will represent its holders to the public as psychoanalysts who meet IPA standards for training and practice.

We are also considering the possibility of working with other responsible groups in order to establish a more inclusive credential for American psychoanalysts. The prospects for such an effort are unknown at this time.

Second, we must work within our own states to influence the course of legislative and regulatory actions. In California and elsewhere, American members of the IPA must work to promote the enactment of licensing laws that are more responsible than those advocated by NAAP. In New York State, we must work to influence the implementation of the new law.

According to the New York State law, regulatory authority over the licensing of psychoanalysts is placed in a special Board of Mental Health Professionals, which is a unit of the Office of the Professions at the State Education Department. This board will have responsibility for regulating four different professions, all of which were created by the same law. The four professions include psychoanalysis, marriage and family therapy, creative arts therapy, and mental health counseling. The members of this board include three representatives from each of the four newly licensed professions, three members of the general public, and one psychiatrist. All members will vote on issues pertaining to all four professions.

The members of this board have already been selected. All three representatives of the newly licensed profession of psychoanalysts are members of NAAP. All three were proposed by NAAP to the State Education Department.

It is important that we explore means of securing representation on the board. Whether or not we succeed in this effort we must develop a set of procedures for educating its current and future members about psychoanalysis. Finally, it is imperative that we represent ourselves at all hearings convened to establish regulations governing the implementation of the law.

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