Profession vs Ethics

* Dr. **Hossein Sadri**

Associate Professor of Architecture, Department of Architecture at Girne American University

E mail: hosadri@gmail.com

A B S T R A C T

This article studies the process of professionalization in general and particularly in architecture and reviews the concept of professional ethics and the codes and documents related to it. The article investigates on the motivations of the conflicts between the documents of professional ethics with the ethical values by criticizing several codes of professional conducts produces by the main professional organizations in the field of architecture. The article proposes an ethical approach which can go beyond and above professions and their limited professional interests to be able to prevent the unethical professional conducts.

1. Introduction

Harun Tepe in his book of Ethics and Professional Ethics, describes the relation between ethics and professional activities with the concept of "capability". Namely, the power and the status of deciding and performing professional activities generate the capabilities of different professions. According to Tepe the question of justifying and enabling these capabilities to perform or not in certain conditions, appears as the main problem of professional ethics (Tepe 2000). With the intention of finding ethical answers to this question, according to Kuçuradi professional ethics is seeking for common norms to prevent unethical attitudes and conducts in various professional fields (Kuçuradi 2000). The norms of professional ethics identify the ethical responsibility of the profession and professionals and for this reason it must go beyond the intra-professional activities and contain the inter-professional and ultra-professional conducts. In other words, in addition to the conducts for professionals, these norms ought to consider the accountabilities of professions towards humanity based on ethical values. The capabilities of professions are not limited to the professional activities of persons and originate from outputs

*****Corresponding Author:**

Associate Professor of Architecture, Department of Architecture at Girne American University, Turkey

E-mail address: hosadri@gmail.com

of all of the organizations and groups related to the professions including and above all states and private companies. For this reason, codes of professional ethics should cover collective responsibilities supplemental to the personal responsibilities. However studies on the codes of professional conducts indicate the fact that these documents mostly consider the minor personal responsibilities and ignore the accountability of professions and the other major actors of the related profession (Sadri 2010).

Neglecting the collective responsibilities and the ultra and intra professional accountabilities of professions derives from the entwined interrelations and interests between professions and other major actors such as states, local governments and private companies. Therefore the problem of the incomprehensiveness of the documents of professional ethics roots in the origins of professions and is their intrinsic characteristic allied to their foundation.

Magali Larson (1979) defines the processes of professionalization of disciplines and exposes the bases of the problem of professional ethics in their essences. According to Larson, professions are occupations with special autonomy and prestige. This autonomy validates their freedom of self-administrated distinctive morality and codes and regulations (Larson 1979). These codes aim to protect the exclusive statuses and autonomy of professions and precluding the involvements of outsiders. Larson explains the founding conditions of professions and underlines their guild-like structure which is the fundamental reason of their incompatibilities with ethical values. These conditions are foundation of professional associations, establishment of professional educations, definition of professional norms, their legislation and guarantee by states and achievement of public recognition (Spector, The Ethical Architect: The Dilemma of Contemporary Practice 2001).

The legitimacy of professions depends on these conditions and self-organized professional ethics are the most essential conditions of their public acceptabilities. As emphasized by Spector, professional ethics and the codes of conducts demonstrate the commitment of professions to noble morals and behaviors, and by the way attempt to sustain their market shares (Spector, Codes of Ethics and Coercion 2005).

Peter Marcuse underlines the historic role of professionalization and introduces "social bargains" between societies and professions and as part of these bargains he highlights the power and prestige of professions which are interrelated to professional ethics and their self-administrated distinctive moralities. Marcuse argues that these bargains support the structure of societies and their efficient functionings and basically any challenges to these structures are against the barganis. In other words, rather than defining the limits to the power and system, professional ethics attempt to maintain the system. For this reason the self-administrated distinctive moralities of what it is called as "professional ethics", never demands or accepts any confrontation with these structures (Marcuse 1976).

It is obvious from the literature that, the capabilities of professions derives from their societies based on their social bargains which are supportive to the roles of social structures. Even though the norms of professional ethics which are self-administrated by professions appear to prevent unethical attitudes in the professions, however their guild-like organizations, interests, market shares and their entwined structures with the societies and their power arrangements lead these norms to control the boundaries of professions more than their unethical conducts (Spector, Codes of Ethics and Coercion 2005).

Professional ethics always stay more professional than ethics. They address professional values more than ethical values and even their statements on any ethical value root in the interests and images of professions and target to protect their market shares. Professional ethics are limited to the boundaries of professions and

accordingly restricted to the structures of societies. For this reason they cannot address the unethical conducts of other actors in their professional fields and they cannot go beyond their boundaries. As it is mentioned by Marcuse, any endeavour to promote ethical values such as freedom, equality, quality of life, democracy, justice and human rights is only possible if professional ethics develop interests in the subject of power and care the changes of the system (Marcuse 1976). In other words, questioning their social bargains and the foundation of structures in societies predominantly their own professions, professional ethics can act more ethically. Breaking their boundaries, the inter-professional and ultra-professional matters and all collective responsibilities of various stakeholders and actors will be included in their visions. That is to say, they can act more ethically only and if they keep out their professional roles.

2. Professional ethics in architecture

The word architecture, in its ancient Greek form of Arkhitekton (ἀρχιτέκτων), implies the meaning of building skill and the mastery of construction. Of course in this meaning it has a long history. However what today we call as architecture, as an arm of the system of industrial production of space has shaped during the 19th Century. Architecture has been industrialized, institutionalized and became a profession and a working arm of capitalist system and modern state. With the professionalization of architecture, it was isolated from building practice, the scale of life (one to one scale), nature, ground/earth and was re-identified within the boundaries of design.

The professional actors who have been granted the title of architect and exclusively authorised to work in this field are carrying out the profession of architecture. This authority which renders architects responsible for spatial design, a forceful part of the process of creation and production of space, has been devolved to architects by the control mechanisms of modern

society, primarily the state through different legislations and regulations.

Holding the ascendancy of designing spaces, architecture achieves the capability and authority in the process of creation and production of space. Architecture gains it power from the accumulation of these capabilities. This power enables architecture to take role in the social and political transfğrmations and consequently increases the danger of misusing this power to non-humanitarian ends. The written documents in the professional ethics in architecture, as so in other professions, never contains the concerns of this possible misuses, however they prioritize the client-serving professional interests, encourage the guild-related roles of architects and ignore the humanitarian and environmental issues and ethical values.

It is understood from the documents of professional ethics in architecture that the protection of guild and market shares has been more considered than the collective responsibilities of architects towards humanity. By scanning these documents during the history of the profession, we can follow the guild oriented approach of the profession manifested in the list of bodies which architects have been assigned responsible towards them in these documents. Regarding these responsibilities, Saint refers to two historical texts; the first one, a text written by Soane in 1788 and the other one written by Arthur J. Willis and W. N. B. George in the mid-twentieth. In the both texts architects introduced as mediators. In the first one their responsibility to intermediate between the "employer" and the "mechanic" and in the second text, between the "building owner" and "contractor" is underlined (Saint 2005). Concisely the personal responsibilities of architects towards the other two actors in the architecture market, the one who employ and pay architects and the other one who construct buildings is mentioned in these texts. However since the architecture market in the last two centuries has been transformed from more public to more private

market, the term of "employer" which could be used for public administration was removed by the term "building owner" which is perceived more private. During this transformation of the market, contractors as a new private sector emerged and organized the building forces and the direct relation between architects and construction workers has been ended. For this reason even if the terminology of the two texts seems to be different, it is obvious that they carry the similar meanings.

Parallel to the transformation of state and capitalist system during the neo-liberal era, architecture, as all other professions, keeps losing its social mission and public intention and being privatised and distorted to a business today. The neo-liberalization of the architecture market transformed the role of architects and reorganized the list of these bodies in the documents related to the professional ethics. The major change was the unification of the roles of "contractor" and "building owner" under the role of "client" as it is mentioned in the most effective codes of professional ethics written by International Union of Architects – UIA (International Union of Architects 1999), Architects' Council of Europe – ACE (Architect's Council of Europe 2009), and American Institute of Architects – AIA (American Institute of Architects 2012).

Architects lost their mediation role and have become part of the "mechanic" actors in construction industry. Under the impacts of the neo-liberal order and alteration of the functions of professions, professional ethics, which ought to concern human values, is devalued by overrating on the image of profession and its market share. Accordingly these texts contain the responsibilities of architects towards the profession and emphasise on them coordinate to the responsibilities of architects towards the public. However even the obligations in the public interest which advises architects to act legally and avoids their inappropriate conducts, can be understood as attempts oriented to the public approval of the profession and

correspondingly the interest of profession and its market share.

As it is mentioned by Spector, instead of defining the duties of the profession and the members of profession to fulfil them, the control of the boundaries of the profession has become the main goal of the codes of professional ethics. Spector also adds the fact that even when the codes deal with the accountabilities of the members of the profession, they focus on the tasks of the members of the profession towards each other more than their responsibilities in the use of their authorities and capabilities (Spector, Codes of Ethics and Coercion 2005). Accordingly, in the codes prepared by AIA and UIA, the obligations of architects towards their colleagues became one of the main headings, beside their responsibilities toward the client, the public and the profession.

All the three documents prepared by these organizations include the heading related to the general responsibilities of architects. In the document of International Union of Architects these general obligations are itemized in 10 standards. In the document of Architect's Council of Europe these general obligations are listed in 6 headings. The 10 standards of UIA and 6 headings of ACE related to the general obligations of architects address the similar issues which are related to the improvement of knowledge and skill of architects, and the field of architecture, art and capability of building industry and also general recommendations to prevent disagreements and misapprehensions in architectural works (International Union of Architects 1999), (Architect's Council of Europe 2009). The document of "Recommended Guidelines for the Policy on Ethics and Conduct" prepared by International Union of Architects as part of the "UIA Accord on Recommended International Standards of Professionalism in Architectural Practice", the "European Deontological Code for Providers of Architectural Services" prepared by Architects' Council of Europe and the "Code of Ethics and Professional Conduct" prepared by American

Institute of Architects start with explaining the general obligations of architects. The UIA Guideline introduces 5 standards related to the continual improvement of their professional knowledge, raising the excellence in architectural education and practice, contribution to the promotions of building industry, establishment of monitoring procedures and adequately supervising the employees (International Union of Architects 1999). In addition to these standards the ACE Code mentions the right of architects to resign from their unappropriated contracts and their obligation to receive full information about the projects before proposing any fee in its 6 standards of general obligations of architects (Architect's Council of Europe 2009). Distinctively in the code of American Institute of Architects, in addition to the similar advices such as the improvement of knowledge and skill and standards of excellence in architecture, the document stresses two ethical values which are the protection of human rights and concerning natural and cultural heritage (American Institute of Architects 2012).

All the three documents refer to the obligation of architects towards the public as their second principle. In the UIA Guideline and ACE Code and AIA Code this title is expounded under 6 standards. By pointing to the ethical responsibilities of architects, the first of these standards in UIA and ACE texts underlines the values of the improvement of the environment and the quality of life of inhabitants and also the natural and cultural heritages. This standard is foundationally different than the other standards. In the UIA Guideline the sixth standard and in the AIA Code the E.S. 2.2 and E.S. 2.3 refer to the collective roles of architects towards public by taking the raising of the awareness of the public on architectural issues into the attention in UIA Guideline and the pro bono services and civic activities of architects in AIA Code. However aiming the better cultural capital and market share, the other standards under the title of obligations towards the public

in these documents concentrate on the image of the profession in the public sphere. These standards are related to the avoiding of false communications, deceptive manners and representation as a misleading fashion and upholding laws and all jurisdictions in the countries of their projects (International Union of Architects 1999) (Architect's Council of Europe 2009) (American Institute of Architects 2012).

The third obligation in all three documents has the title of obligations to the client. The standards and rules related to this title in these documents are performing skill care and diligence, without undue delay, sharing necessary information about the progress of the project with the client and preparing a clear contract about the project (International Union of Architects 1999) (Architect's Council of Europe 2009) (American Institute of Architects 2012). These standards all emphasize on the personal responsibilities of architects towards their client and accordingly towards the image of their profession. In this sense these standards carry the same role as the standards listed under the fourth title in these documents; "Obligations to the Profession". This title in all of the three documents has the goal of promoting a better representational performance of architects towards the profession of architecture by their effort to perform the "best of their ability", honestly, without any prejudgment and discrimination (International Union of Architects 1999) (Architect's Council of Europe 2009) (American Institute of Architects 2012).

Different than the ACE Code, UIA Guideline and AIA Code has the fifth title on the obligations towards colleagues which indicates issues of intellectual property of architectural works, architectural competitions, rules regarding the critic of the projects of the colleagues, collaborations and rivalry and the work conditions of the employees (American Institute of Architects 2012) (International Union of Architects 1999).

AIA's "Code of Ethics and Professional Conduct" includes additional heading, different than the

other two documents. This topic is related to the obligations of architects towards environment and highlights the importance of sustainable design (American Institute of Architects 2012).

As it is shown in the above text, exception of citing the environmental, natural, historical heritage issues and the quality of human life in few short statements, these codes constitutes norms of conducts more than ethical values. They emerged to act as forces to control the behaviours of professional actors and consequently make profession looks "correct" and its image will be beautified and its cultural capital can be raised (Sadri 2010).

Codes of professional conducts as the main texts and morality charters of professional ethics, which should focus on the responsibilities of the profession derived from the ethical values, are limited to the individual tasks to support the interests of the profession. For the same reasons the inter-professional and ultra-professional moral commitments, and collective responsibilities are disregarded and these codes are reduced to the intra-professional regulations and personal responsibilities of professionals.

3. Conclusion

The intra-professional concentration of the documents of the professional ethics and their emphasise on the personal responsibilities of architects and their ignorance on the inter-professional and ultra-professional conducts and the collective responsibilities and the obligations of the other decision makers and stake holders can be introduced as the main challenge of professional ethics. Particularly neglecting the accountabilities of the profession of architecture towards humanity is not ethically acceptable.

As it is discussed in the related literature written by Larson, Spector and Marcuse, these codes have the main goals of identifying the limits of the profession, protecting its market share, upgrading its image and cultural capital and not ethical aims. For this reason they are more professional documents than ethical texts.

Investigating on the related literature and also the most operative documents of professional ethics in architecture, radically the guild like structure of the profession which is reflected in these documents is presented in this article. To prepare a more ethical document in architecture, avoiding the professional role of architecture, expanding the responsibilities beyond and over the profession of architecture and the human rights and value based approach can be proposed. Such a document will go beyond the limits of the profession, will critically deal with the profession and will include political concerns such as democracy and human rights. This document will not be limited only to a specific activity or a certain profession, will be a general ethical document and will include the universal ethical values.

Acknowledgments

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