

## **The Professional Association's Role**

(comment on Bent Flyvbjerg, "[How Planners Deal with Uncomfortable Knowledge: The Dubious Ethics of the American Planning Association](#)," 32 *Cities* 157-163.)

March 2013

David Thacher<sup>1</sup>  
Gerald R. Ford School of Public Policy and  
A. Alfred Taubman College of Architecture and Urban Planning  
The University of Michigan  
[dthacher@umich.edu](mailto:dthacher@umich.edu)

Full reference: David Thacher (2013), "The Professional Association's Role," 32 *Cities* 169-170  
DOI: 10.1016/j.cities.2013.04.004,  
<http://www.sciencedirect.com/science/article/pii/S0264275113000450>

---

<sup>1</sup> My thanks to Scott Campbell and John Chamberlin for helpful comments on an earlier draft.

A student of mine who worked for an impoverished local government in a developing country recently told me a familiar story. The national government had approved his county's design plans for a new road project, and my student's boss asked him to draw up a cost estimate. After two weeks of work he returned with his estimate that the road would cost \$10 million. His boss balked: The central government had made it clear that the project must cost less than \$8 million, and the design could not be changed since the plans had already been approved. Hadn't there been some mistake in the estimate? My student insisted there had not, but eventually his boss turned blunt, implying that budgets were rarely taken as seriously as he was taking this one (it was an open secret that this kind of dishonesty was pervasive throughout the country). "We need clever leaders, not only honest men," he lectured. It isn't hard to find assumptions to tinker with to produce a revised estimate in the face of such pressure.

More troubling, in these circumstances tinkering may not even be morally wrong. As my student observed, the most likely result if he refused would be that his career would suffer, and in the meantime his boss would find someone else to give him the cost estimate he wanted. Surely morality does not invariably require people to fall on their swords when no good end will actually be served by doing so. The alternative may be even worse. If his county went ahead with the honest cost estimate he had drawn up, the central government would almost certainly refuse to fund the project, and the residents of his own county would lose out to others with less scrupulous officials. As my student lamented, trying to keep your own hands clean at the expense of your community's welfare seems downright selfish as a strategy of moral integrity.<sup>2</sup>

---

<sup>2</sup> Glover (1975) provides a classic and subtle discussion of when the justifications I am discussing in this paragraph do and do not make sense (I don't mean to claim that they always do).

Like other professions, planning is a compact by its practitioners to accomplish particular goals related to the public interest. It has to be a *compact* because some of the goals are inherently collective; an isolated professional can't accomplish them unilaterally without cooperation from the others (Davis 1987, 2003). If a single planner like my student wants to provide objective cost and demand estimates to promote reasoned choice about public works projects, his efforts may be futile unless the others commit to the same goal. (In fact they may be worse than futile, as he may repeatedly face distressing ethical choices like the one he was forced to make in the road project.)

At their best, codes of professional ethics are the mechanism that professionals use to make this kind of shared commitment. If a practitioner takes a merely personal stand against pressure from other public officials to do what he considers wrong, they may replace him with someone more compliant. But if he is part of a profession whose members have *collectively* bound themselves to the relevant ethical principles, he can respond to this kind of pressure by pointing out that he has a duty to resist it and that every other member of his profession who might replace or compete against him does too (Davis 1987: 9).<sup>3</sup>

I go into all of this to clarify where responsibility for the problem identified in Flyvbjerg, Holm, and Buhl's original *JAPA* article must fall. It is the kind of problem that isolated individuals like my student are powerless to solve alone; one of the central functions of a professional association is to coordinate professional practice in areas like this one where uncoordinated action would fail to accomplish professional goals. Flyvbjerg's current paper seems to describe a paradigm case of how a professional association should *not* respond to

---

<sup>3</sup> The officials can always fire him and get the work done by a nonprofessional, but its credibility may suffer if the profession has established a special reputation for integrity in this domain. The officials themselves may sometimes appreciate the constraint the code of ethics imposes on their staff. Like the county administrator who put pressure on my student, they, too, have found themselves in the middle of a distorted game where honesty is a sucker's strategy, and they, too, often wish they could escape it.

evidence that this central function needs attention, and if his account misses something important then APA ought to explain what it is.

In the meantime, how *should* a professional association respond to a problem with professional practice like the problem of strategic misrepresentation in forecasts, to which Flyvbjerg and so many other planning scholars and practitioners have repeatedly drawn attention over the years?

First, as the most authoritative collective voice planning professionals have, a professional association like APA should speak more clearly about exactly which shared commitments they have made. We can't expect individual planners to stand heroically on principle when they aren't sure whether other planners share their understanding of what the relevant principle actually is, and therefore whether the others will back them up by behaving the same way they do. When Wachs (1989, 1990) first called planners' attention to strategic misrepresentation in forecasts, he observed that the AICP ethics code failed to address the problem as explicitly as the codes in statistics and public opinion research (1990: 155-6). Today's AICP code seems to be an improvement over the one Wachs criticized—it emphasizes that planners must not “deliberately or with reckless indifference fail to provide adequate, timely, clear and accurate information on planning issues”, and it stresses that they “shall not direct or coerce other professionals to make analyses or reach findings not supported by available evidence”—but it could still address this topic more clearly. The code's unenforceable companion document, “Ethical Principles in Planning”, insists that planners should “not misrepresent facts or distort information for the purpose of achieving a desired outcome”, and it isn't clear why the code itself fails to include this kind of direct prohibition of strategic misrepresentation. I will have more to say about appropriate ethical standards shortly. Beyond

the standards themselves, however, planning professionals also need authoritative guidance about the complex situations they face that no code can hope to address in the abstract (Thacher 2004). To coordinate professional practice successfully, a code of ethics needs to speak as clearly as possible about what its general ideals require in practice.

All of that said, few professions can get by even with the clearest statement of ethical standards alone; without real enforcement an ethics code becomes a dead letter. Obviously weak enforcement by itself can't completely explain why planners fail so often to "provide accurate information" about the cost of public works projects, but it is still worth exploring the questions Flyvbjerg raises about the extent of ethics enforcement in planning. During the seven-year period covered by the APA's published annual ethics case reports, 5 cases led to settlements that apparently included some kind of sanction, for an average of a little less than one adverse finding a year (APA 2005-2011).<sup>4</sup> Comparisons with other professions are never perfectly apt, and the number of substantiated ethics violations is obviously an equivocal measure of a profession's integrity, but for what it is worth the International City Management Association (which has one-fifth as many members as APA, or half as many as AICP) sanctioned 7 of its members in 2012 alone; the American Institute for Certified Public Accountants (which has ten times as many members as APA) sanctioned about 500 in 2012. Each sanctions its members about 20 times as often per capita as AICP.

The challenge for ethics enforcement in this area is the difficulty of enforcing a provision that requires so many subjective judgments about the planner's intentions (cf. Flyvbjerg, Holm, and Buhl 2002: 289). If a forecast omits information about the uncertainty surrounding its final estimate, is that a sign that the authors deliberately tried to mask the weaknesses of their case, or

---

<sup>4</sup> In addition, 3 cases were discontinued because the planner's membership lapsed during the investigation, and the subject of one more investigation resigned.

is it just a sign of sloppiness (Wachs 1989: 477)? The bread and butter of ethics enforcement for many professional associations involves easier-to-verify transgressions like moonlighting, falsifying a resume, or asking employees to donate to a political campaign. In other fields where producing deliberate misinformation is a central concern—fields like financial analysis, accounting, and statistics—codes of ethics and standard practice guides together spell out the accepted methods practitioners are supposed to rely on, including the records they should keep about the steps they took along the road to their conclusions (e.g, CFA Institute 2010: 145 ff.). Deviation from these approved protocols can then typically serve as objective evidence in ethics investigations. Setting up practice in a way that makes it easier to police practitioners may seem cynical and harsh, but the goal is noble enough: To support honest professionals by raising the odds that those who compete with them in various ways will abide by the same principles they do. In any case, enforcement need not always mean shaming and stripping professionals of their credentials. The demanding ethical standards necessary for the coordinated pursuit of professional goals typically go beyond ordinary morality, and when they do an educative approach to enforcement often makes sense (Braithwaite 1985).

Finally, a professional association can coordinate its members' practice not only by sanctioning those who deviate but also by supporting those who stay the course in the face of pressure to do wrong. Two decades ago Wachs reported that he was aware of five people “who have been fired and blacklisted from employment in the field of urban planning because they have objected to instructions to ‘revise’ their forecasts to suit the needs of their clients or supervisors” (1990: 154). What role can a professional association committed to high ethical standards play in supporting people like these? What role can it play in protecting

whistleblowers? I do not know the answer to these questions, but to my knowledge planning has not yet raised them.

None of these roles are easy ones for a professional association to play; each inevitably brings conflict and trouble. But if no one takes care of them it will be impossible to accomplish important elements of the profession's social mission, since lone wolves can't accomplish that mission on their own. What is needed is a professional culture in which the profession as a whole encourages and supports individual members when they need to take difficult ethical positions. One important role of a professional association is to foster that culture. If it doesn't, and planners thereby fail to reassure the rest of the world that they have policed themselves adequately, they may find themselves subject to harsher and more blunt monitoring by outsiders—by courts, financial institutions, federal officials, enterprising journalists and bloggers, and many others who find it easier and easier to play that role in the information age.

## **Bibliography**

APA (2005-2011). "AICP Code of Ethics and Professional Conduct: Annual Reports on Case Activity and Requests", <http://www.planning.org/ethics/report/>

Braithwaite, John (1985). *To Punish or Persuade*. (Albany: SUNY Press.)

CFA Institute (2010). *Standards of Practice Handbook*, 10<sup>th</sup> ed. (Charlottesville: CFA Institute.)

Davis, Michael (1987). "The Use of Professions", 22 *Business Economics* 5-10.

Davis, Michael (2003). *Thinking Like an Engineer*. (New York: Oxford Univ. Press.)

Flyvbjerg, Bent, Mette Skamris Holm, and Søren Buhl (2002). "Underestimating Costs in Public Works Projects", 68 *JAPA* 279-95.

Glover, Jonathan (1975). "It Makes no Difference Whether or Not I Do It", 49 *Proceedings of the Aristotelian Society, Supplementary Volumes* 171-90.

Thacher, David (2004). "The Casuistical Turn in Planning Ethics", 23 *JPER* 269-85.

Wachs, Martin (1989). "When Planners Lie With Numbers," 55 *JAPA* 476-9.

Wachs, Martin (1990). "Ethics and Advocacy in Forecasting for Public Policy", 9 *Business and Professional Ethics Journal* 141-157.