Ethics in Planning Arena: Necessity and Application

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Abstract

Ethics is crucial to the practices of planning theories and concepts as moral judgments and ethical choices encompass planners' activities. Planners' ethical values and institutional settings influence their work, but we know very little about these ethical schemes of signification. The article outlines the ethos of working on planning issues and hegemonic ways of thinking about ethics of planning. It presents a fairly brief consideration of what the discourses in ethical planning consist of and also discusses crucial dilemmas of ethics in planning, as these fall in between principles, values, convictions and political and institutional discourses and ideologies.

Introduction

City and regional planning face an increasingly wide range of ethics-related challenges. A growing number of cities and municipalities have become a subject of mass media in recent period due to ethical considerations in plan making and implementation. The ethical sensitivity of all professionals, lawyers, physicians, educators, and business executives, has come under close scrutiny in recent years. The level of ethics exhibited by professionals is no longer considered to be adequate. This renewed ethical concern represents the recurrence of an established issue: "The lack of ethical behavior exhibited by many persons in positions of responsibility" (Kilinc, Özgür and Genc, 2009). Most professions have special responsibilities to society. Physicians are expected to observe the *Hippocratic Oath*. Police officers must apply the law fairly and refrain from abusing their power. Lawyers and accountants are expected to offer accurate advice and protect client confidentiality. Planners' role and responsibilities need to be judged also in a critical way. They have a special responsibility to consider various perspectives and their impacts on planning and development.

Some people assume that planning is a zero-sum game of interest groups fighting for special policies and projects. But good planners generally want something quite different: policies and projects that benefit the greatest number of people including many who are unaware of their gains. Planners should be held to a high standard with regard to issues within their professional realm, such as how to accommodate people with special needs and constraints (Litman, 2011). It is the duty of planners to ensure that political goals for building development and the provision of public service are implemented without being influenced by pressure, special interests, or their superiors. They must be attentive to the public and must explain their actions to their political masters (Bruzelius, n.d.).

It is argued that ethical-moral judgments are common and necessary in planners' daily practices, for instance in taking the 'right' solution according to a complex of variables, such as political preferences and public and political demand for justice, equality or

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fairness. Planning always includes an ethical and normative interpretation of public interests. This is planners' duty and obligation, because fairness is required, and on most questions they cannot rely on the existence of universally accepted political or institutional values to use. Ethical questions in planning tend to become viewed from a utilitarian perspective, because ethical judgments and choices must be in line with pre-defined political intentions and the demand for efficient planning, and this leaves only limited space to take ethical principles into consideration. Ethical considerations become secondary to planning law, preambles and political decisions, and if ethical conflicts arise, they are eventually referred back to procedures, regulations or rules, instead of making them a reason for having inquiries and disputes about ethical principles (Ploger, 2003). Planners' actions can never be value free, and therefore planning analysis must try to trace explicit and implicit considerations of ethics in planning (Kilinc, Özgür and Genc, 2009; Ploger, 2003).

Rationale of the Research

The main purpose of this study is to scrutinize planning actors' thoughts on planning related ethical matters. The sources of ethical problems, the meaning and the dimensions of planning ethics, the possible measures for improving ethical behavior are the main parts of this scrutiny. The definition of what is ethical is quite difficult. The reasons of unethical behavior in planning and possible practical solutions to these issues are the most important section of the research. Most planners in fact think of themselves as non-partisan and non-political (they do not take a one-sided stand, but defend 'common' interests), instead seeing themselves as ethico-politically conscious and committed to working for social justice, equality, 'the common', and democratic influence for all interested, but especially the 'weak voices' in society. In practice, however, for whatever reason, planners often neglect to give the disadvantaged their own voice. Planners do not seek these people out to hear their opinions if they do not participate within the formal processes, and these voices therefore often remain politically ignored (Ploger, 2003).

o   Despite the fact that ethical values are very often mentioned in interviews and planning texts, ethical philosophy and normative theory is weakly established in planning practice and theory.

o   There is no consideration of what urban ethics is. What is the content of an urban ethic in a city of diversity, cultural pluralism and ethnicity, and communities formed by both segregation and mobility?

o   No one seems to have made any considerations of how physical planning, architecture and the production of the built environment have ethical pretensions and effect. There is a need to force politicians and planners to argue about why they so strongly believe in a specialized ethic.

o   Planners are all the time putting forward values, morality and norms, but they are reluctant to reflect on them and on what consequences they might have for practice. This makes their statements about ethical values sound more convenient or opportunistic than they need to be, but politicians' and planners' ethical practices are certainly very often viewed by the public in just this way.

Research Methodology

The main purpose of this study is to scrutinize thoughts on planning related ethical matters. The sources of ethical problems, the meaning and the dimensions and principles of planning ethics, the possible measures for improving ethical behavior are the main parts of this scrutiny. The reasons of unethical behavior in planning and possible practical solutions to these issues are the most important section of the research. Determining and measuring ethical issues is very complex and difficult. However, in this research the application of ethical conduct in controversial planning issues are shown through scenario analysis of some general dilemmatic planning scenarios. Another part of this research is to review the Bangladesh Institute of Planners (BIP) Code of Ethics and Professional Conduct and critically evaluate it to examine whether it is capable of ensuring ethical conducts to the planners' activities in the context of Bangladesh as well as capable of resolving the ethical dilemmas in planning.

Important Concepts

What is Ethics?

It is commonly thought that ethics deals with the common and universal principles of 'the good and just' life between human beings. By this notion, ethical considerations and reflections may be a matter of the common normative and moral principles that ought to govern life, such as virtues, manners, and customs. It is, however, more precise to say that ethics deals with the philosophical principles of morals and morals in practice. An analysis of the working of ethics should ideally comprise "a study of thought, language, reasoning, processes, and judgment that informs the choices people make in their daily lives" (Ploger, 2003).

Ethics as Conduct or Behavior

Ethics may be conduct or behavior relating to things such as *ex pane* communications among members of planning and zoning boards and applicants,' assurances given to applicants by individual board members prior to a public meeting, or the sharing of otherwise confidential information with those not a party to the issue at hand.

Ethics as Morals or Values

Ethics may also be defined as morals or values which include the ability to make determinations between right and wrong. One troublesome aspect of viewing ethical conduct in this regard is that the public will judge the extremes of right and wrong through community standards which may change from time to time and may differ from jurisdiction to jurisdiction. It becomes a subjective issue of what the community is willing to tolerate, and less of a self-inquiry by the official taking the action into what their own value system dictates (Salkin, 1998).

Types of Ethics

Ethics belongs not only to practice or normative-ideological statements, but also to the grand narratives of planning and the micro-politics of power. Ethics can be classified as:

o **Political ethic:** comprising visions of the 'good' society and discourses on democracy, justice, fairness, equality, solidarity and the good life.

o **Planning ethic:** considering, for instance, the ethical dimensions just mentioned and

relying on (scientific) considerations of proper living conditions, injustice, public participation, commitments or planning virtues, urban sustainability or the need for community empowerment.

o   **Aesthetic-ethic:** which is the hegemonic perspective for architects and thereby many planners. The thought is that aesthetics can be directorial towards ethical values. It is believed that the built environment signalizes ethical values, so that " 'nice' buildings set in 'nice' spaces make for 'nice' places and 'nice' people" (Ploger, 2003).

Morality vs. Ethics in Planning

For many reasons, planners in their everyday practice may be much more concerned about morality than ethics. Morality – 'the way the world ought to be' and 'what we ought to do' – consists of principles that most certainly will guide professional planners' everyday practice, if the person is in any way committed to public planning; whereas ethics – the foundation of a specific moral value or norm – is rarely discussed among planners, but ethics is always part of people's lives and work, and part of a working ethos (Ploger, 2003).

Ethical Dilemmas in Planning

Questions about the nature of 'the good life', 'responsibility', the ethic of 'the other' or 'the stranger', pluralism and liberalism versus 'justice' and 'fairness' or 'equality', and individuality versus community are all questions that represent ethical concerns with which planners in reality are confronted almost on an everyday basis. As soon as planners are confronted with an ethical bias, they immediately experience any ethical preconception or common sense as contestable and a frequent source of conflict. More and more often, planners experience difficulties when they try to speak of 'common interests' or 'necessary solutions'. Ethics must, furthermore, be a particularly precarious matter if planners support forms of advocacy planning, work for equality in society or socially just city planning, because planners must then repeatedly make ethical choices within a political sphere where segregation, social exclusion and neglect of the rights of 'weak voices' are common, and where compromises on 'what is just' or 'fair', and on whom to benefit and why, are said to be politically necessary. Planners often find themselves caught in an ethical impasse, having to accept political decisions and to work within a political system where scales of class differences are 'temporarily tolerated' (reformism) or accepted (liberalism). And they may find political attitudes they have to serve that are in contrast to their own wish to defend the idea of equality. Planners constantly find themselves having to choose between the ethical principles they hold and the ethics of 'real' politics (Cook & Sarkissian, n.d.; Kilinc, Özgür & Genc, 2009, Ploger, 2003). Some general ethical dilemmatic themes emerged in the planning process:

o   Confusion between values and ethics; and/or

o   Confusion due to competing sets of ethical demands (i.e., personal ethics vs. professional ethics or planning ethics vs. the corporate ethics of the organizations they work for, and so forth); and/or

o   The pressures of working in political environments with many stakeholders applying

pressure to an individual planner's ethics; and/or

o   Lack of guidance from the profession regarding professional ethics; and/or

o   Lack of training and discussion opportunities around the issue of 'planning ethics'; and/or

o   A feeling of not having ownership or control over values and ethics (Cook & Sarkissian, n.d.).

Example of Ethical Dilemmas in Planning

To understand ethical dilemmas in planning, it is necessary to consider the following scenario:

Scenario: An environmental planner is fairly certain that his director has purposely left out certain findings from a draft report regarding the regeneration of native grasslands because the director felt it presented a point of view that the government does not support. The environmental planner feels that these findings should not be kept from the public and, without authorization, gives the findings to an environmental group that is strongly in favor of native grassland regeneration.

This scenario glimpses into the divergence between personal/professional values and ethical action represents a disturbing finding as it shows that even where planners have strong values about normative issues, their values are easily supplanted by other principles in the workplace. In this example, the residents, environmental groups, student activists may prioritize meta-ethical environmental values above the organizational conduct values more often than do practitioners, despite similarities in attitudes about the environment. This nexus between meta-ethical values and the 'rules of the job' proves to be a real source of dilemma that leads to inconsistent action or inaction with respect to planning ethics (Cook and Sarkissian, n.d.).

Necessity of Ethics in Planning Practices

Ethics are fundamental to the daily practice of planning, as well as, more profoundly, its underlying rationale. Planners' ethical values not only shape their views of what role and purpose planning and planners have, but also what kind of everyday life and community they wish to plan for (Ploger, 2003). The planning process exists to serve the public interest. While the public interest is a question of continuous debate, both in its general principles and in its case-by-case applications, it requires a conscientiously held view of the policies and actions that best serve the entire community. Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants. Those who practice planning need to adhere to a special set of ethical requirements that must guide all who aspire to professionalism (Bruzelius, n.d.; Litman, 2011). Ethics is so crucial to planning practices, because:

o   First and foremost because "moral judgments and ethical questions pervade the daily practice of planning"

o   Secondly, it's crucial, because ethical values are constitutive to planners' identity, choices, practices and obligations as civil servants.

o   Thirdly, because institutional practices rely very much on taken-for-granted, a priori

schemes that mark "the values and obligations which shape practitioners' views of their roles and purposes"

o Fourthly, ethical discourses form the ethos of planning institutions, and also societies' legal politicization of planning (Ploger, 2003).

Ethical Levels and Elements in Planning

Planners' perspectives on what is ethical depend largely upon their role orientations. The literature on planners' role orientations has traditionally identified two primary role orientation dimensions: one "technical" and one "political". In particular, technical role orientations envision a planner who internalizes his/her own values and takes direction instead from elected officials, procedural manuals, etc., whereas political role orientations envision a planner that actively promotes his/her own values (and conception of the public interest) in the planning process. Ethical levels in planning are based on these two dimensions (Kilinc, Özgür & Genc, 2009).
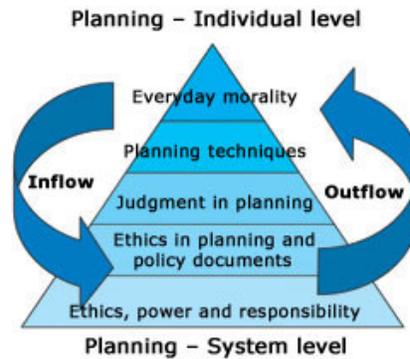
Source: Bruzelius, n.d.

Figure 1: Ethical pyramid showing different ethical levels and elements in planning.

Figure 1 shows that ethics has different elements and different degrees of abstraction in planning. It is not ethical to let oneself be bribed, to lie and to take the credit for something one has not done oneself (Bruzelius, n.d.).

Three Main Philosophies Regarding Planners' Ethics

The 'Right Action'

This ethical reasoning is concerned with whether an action is in itself right or wrong, and not with its consequences. Consequences are of course important, but the rightness of action from the perspective of what is found to be morally 'good' or 'right' is crucial to the legitimacy of public planning, and therefore an attempt is often made to translate 'what is the right action' into procedural rules and principles for what is fair, justice, individual rights, and the form of public democracy.

On defending 'common interests'–the legacy of advocacy planning

Defending the common interest is an ethos, an attitude, which leads to advocacy planning as a sensible way of working. As seen this does not necessarily mean advocacy planning in the sense of 'taking sides' in practice, for instance by openly declaring one's support for planning issues on behalf of the citizen, but of taking the position of 'the spokesman' and providing an institutionalized 'back-up' or 'defense' of weak public interests, if they are ignored. Planners must secure 'weak public interests' against strong economic interests by defending their interests through plans.

'The need to have control'–the management approach

The rules, regulations and procedures of planning are seen as the way to improve planners' power to represent and manage the implementation of what is politically thought to be 'the common good'. The planner sees the planning law and legally binding plans as power tools that public planners can use to secure 'common' interests versus 'economic' interests. Therefore, planners in public service strongly support the efficiency and rationality of these formal administrative procedures as means of defending 'weak' interests. In principle, planners as public servants should take all interests into consideration (Ploger, 2003)

Ethical Principles in Planning

The ethical principles derive both from the general values of society and from the planner's special responsibility to serve the public interest. As the basic values of society are often in competition with each other, so do these principles sometimes compete. For example, the need to provide full public information may compete with the need to respect confidences. Plans and programs often result from a balancing among divergent interests. An ethical judgment often also requires a conscientious balancing, based on the facts and context of a particular situation and on the entire set of ethical principles (Penn State Online, 1992). When evaluating public policy questions most people ask selfishly, "How does this affect me?" Planners, in contrast, should ask selflessly, "How does this affect the community, particularly disadvantaged and underrepresented groups?" (Litman, 2011). However, the general principles of planning ethics are as follows:

Principle 1–Integrity: Provide professional services with integrity.

Integrity demands honesty and sincerity which must not be subordinated to personal gain and advantage. Integrity cannot co-exist with deceit or subordination of one's principles.

Principle 2–Objectivity: Provide professional services objectively.

Objectivity requires intellectual honesty and impartiality. Regardless of the particular service rendered or the capacity in which planners function, they should protect the integrity of their work, maintain objectivity and avoid subordination of their judgment.

Principle 3–Competence: Maintain the knowledge and skill necessary to provide professional services competently.

Competence means attaining and maintaining an adequate level of knowledge and skill, and application of that knowledge and skill in providing services to clients. Competence also includes the wisdom to recognize the limitations of that knowledge and when

consultation with other professionals is appropriate or referral to other professionals necessary. Planners make a continuing commitment to learning and professional improvement.

Principle 4–Fairness: *Be fair and reasonable in all professional relationships. Disclose conflicts of interest.*

Fairness requires impartiality, intellectual honesty and disclosure of material conflicts of interest. It involves a subordination of one's own feelings, prejudices and desires so as to achieve a proper balance of conflicting interests. Fairness is treating others in the same fashion that you would want to be treated.

Principle 5–Confidentiality: *Protect the confidentiality of all client information.*

Confidentiality means ensuring that information is accessible only to those authorized to have access. A relationship of trust and confidence with the client can only be built upon the understanding that the client's information will remain confidential.

Principle 6–Professionalism: *Act in a manner that demonstrates exemplary professional conduct.*

Professionalism requires behaving with dignity and courtesy to clients, fellow professionals, and others in business-related activities. Planners should cooperate with fellow planners to enhance and maintain the profession's public image and improve the quality of services.

Principle 7–Diligence: *Provide professional services diligently.*

Diligence is the provision of services in a reasonably prompt and thorough manner, including the proper planning for, and supervision of, the rendering of professional services (CFP Board, 2016)

General Ethical Considerations of Planners

The planners must continuously pursue and faithfully serve the public interest and in the planning process, participants should:

o   Recognize the rights of citizens to participate in planning decisions;

o   Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;

o   Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;

o   Assist in the clarification of community goals, objectives and policies in plan-making;

o   Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;

o   Strive to protect the integrity of the natural environment and the heritage of the built environment;

o   Pay special attention to the interrelatedness of decisions and the long range consequences of present actions (Penn State Online, 1992).

Application of Ethics in Planning: Scenario Analysis

The following scenario analysis is presented as an example to show how to apply ethical principles in planning decision to ensure ethics in planning. However, for every planning problem, the ethical dilemmas can be minimized by applying above mentioned ethical principles and considerations in an appropriate way according to the nature of problems and dilemmas.

Ethics Scenario: 1

Suppose you are the new planning director for a town in a high growth corridor. Development over the past ten years has more than doubled the town's population and created several new commercial and industrial centers. Your elected officials are strong property rights advocates and don't believe in interfering too much with the free use of land. Knowing that the recent economic downturn will end before too long, they have decided that this is the perfect time for you undertake *a* comprehensive review and update of your land development regulations with an eye towards making your regulations and processes easier on the development home to the turtles, endangered snakes or other animals. Without protection, their habitat is sure to disappear. What is your obligation as a professional planner? Does the environment have rights for which you are required to advocate?

Possible Choices/Options

1. Do not raise the issue since you know it won't matter to your board and it might make them angry.

Risk: This action has ethical implications in that it is not consistent with professional obligations

2. Raise the issue as a fact, but do not advocate.

Risk: It is also not fully complied with ethical values.

3. Advocate for protection by explaining the importance and value of natural landscapes and native species.

Risk: Your words may fall on deaf ears or make someone angry.

The best ethical choice: Obviously option 3 is the best choice according to the planning ethics in the light of following principles:

o   Planners shall have special concern for the long-range consequences of present actions.

o   Planners shall promote excellence of design and endeavor to conserve and preserve the integrity and heritage of the natural and built environment.

o   Planners shall educate the public about planning issues and their relevance to everyday lives

o   Planners shall systematically and critically analyze ethical issues in the practice of planning.

o   Planners shall not deliberately or with reckless indifference fail to provide adequate, timely, clear and accurate information on planning issues.

How to avoid the problems and risks mentioned above?

In most cases it is very difficult to solve such problem but the planner must never stop educating the leaders, co-workers and citizens about issues important to greater public interest, but be smart and use effective strategies.

Ethics Scenario: 2

A representative of an environmental group comes into a city planning office and asks a staff planner for a copy of the recommendations of a plan for the reduction of pollution in the city's streams which is in the process of being prepared. The planner gives the representative the draft recommendations. The agency has specific restrictive policy about releasing such information before a plan is completed.

Possible Choices /Options

1. The planner should not give the information to the environmental group to ensure ethical morality to the employers because the agency's policy restricts such action.

2. Should give the information to the environmental group to inform them about the polices to satisfy personal moral judgment to the public going against the agency's policy

3. Raise the issue to the agency and explain them about the necessity of community involvement in decision making and the importance of information dissemination.

The Best Ethical Choice: Option 3 is the best choice according to the planning ethics in the light of ethical principles that planners shall always be conscious of the rights of others. They should provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers and also to give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them. Planners should also Respect the client or employer's right to confidentiality of information gathered through a professional relationship, acknowledge the values held by the client or employer in work performed and inform the client or employer in the event of a conflict between the values or actions of the client or employer and those of ethics Code in a timely manner.

How to avoid the problems mentioned above?

The planner must never stop educating the leaders, co-workers and citizens about issues important to greater public interest. Smart and effective strategies must be taken at the starting point of a policy making to ensure involvement of and dissemination of information to the community groups.

Ethics Scenario: 3

A planner who works for a city planning agency is assigned by her agency to work with the residents of an inner city, low-income neighborhood. She finds out that another unit in the agency is doing a study for the same neighborhood which will recommend clearing 20 acres of land to be used to provide housing for students at a nearby college.

Possible Choices /Options

1. Without being authorized to do so, the planner decides to give the information and draft findings of this study to the head of the community group in the area.

2. May strongly recommend to decision makers for only implementing low-income housing schemes because they are the most vulnerable groups.

3. Consult with the other team and the community groups, find out the demand of both low income groups and students, prioritize the needs of each group in a co-ordinate manner and to undertake a mixed project in the same neighborhood.

The Best Ethical Choice: Option 1 is unethical because it will create conflicts between the community groups and the planning agency. Option 2 is selfish in nature because only own task is given the priority. But option 3 is the best choice because it seeks to fulfill the needs of both low income groups and students. It also seeks an ideal speech situation to all groups involved. Planners should seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged groups.

Ethics Scenario: 4

A planner who works for a high-income suburban community recognizes that the community's land development regulations are exclusionary, with large lot zoning, expensive subdivision improvement requirements and few bedrooms allowed in the only district zoned multiple family. This makes it quite difficult for low-income people and all but a few minority group members to live there, even though job opportunities for low-income people exist in the area.

Possible Choices /Options

1. Should obey the agency's zoning regulation as a part of organizational responsibility.

2. He may decides to organize support from local people she knows are in favor of opening up the community so that they will put pressure on the suburban government's officials to change the community's zoning policy.

3. He may advocate to the decision makers about the necessity of mixed housing zone which will enable the low income people to live near the work places which will in turn increase the productivity as well as the economic output of the area.

The Best Ethical Choice: Option 1 is unethical because it will not ensure the equity in the housing provisions of all income groups. Option 2 is unethical because it will create conflicts between the community groups and the planning agency. Option 3 is the best choice because it seeks to fulfill the needs of all income groups and because of the knowledge dissemination and community involvement; the risks of conflicts are minimized.

Ethics Scenario: 5

A planner is preparing a study on the need for increased mass transit in the community. The planner's own policy preference is for increased mass transit. A citizens group did a reasonably thorough study several years ago where it found that a majority of the community's residents opposed an expanded mass transit system.

Possible Choices /Options

1. The planner may decide not to use this particular information about the citizens group's study findings in writing up the recommendations of the study

2. He may include the citizens group's study findings and may alter it or wrongly interpreted it to make it invalid.

3. He may consult with the citizens group about the problems to be faced due to increased mass transit by them; advocate them about the necessity of increased mass transit and explain to them such decision is taken to ease their movement; and to take necessary measures to solve the problems identified by them.

The Best Ethical Choice: Option 1 and option 2 both are unethical because here there is no scope for incorporating the citizen group's recommendations in the planning decision. So option 3 is the best ethical choice because the intention of the planner to implement mass rapid transit is done by considering the objections of the public and the citizen group also realizes the benefits of the mass transit. Thus the effectiveness of the planning intervention will be increased.

Findings from the Scenario analysis

From the above scenario analysis of planning ethics, it is clear that if ethical planning interventions are taken in the decision making process in a systematic way then the benefits are multi-dimensional, such as:

o The personal moral value and ethics of the individual planners can be maintained without any conflicts with the clients or the employers.

o The planners will be able to successfully apply their professional competencies

o The planners will be able to play their advocacy role efficiently and to balance the interests of communities with the interests of individuals

o It will help to foster meaningful public participation by all segments of society and the multi-diversified opinion of various interest groups can be considered in a comprehensive way.

o The effectiveness and sustainability of the planning intervention will be increased because of increased scope of public participation and information dissemination

o Ethical judgment in planning can help the planners and decision makers to practice sustainable planning that considers the use of society's resources and the needs of future generations and also to value both the natural and human environments and understand their interrelationships

Bangladesh Institute of Planners' Code of Ethics and Professional Conduct

The 'Code of Ethics and Professional Conduct' has been framed to protect the rights and privileges of the Planners community in Bangladesh above all to uphold the aims and objectives of the constitution of Bangladesh Institute of Planners (BIP). The main aim of the conduct is to provide guidance and support to the Members of BIP on their conduct in the professional arena. Similarly, it will give protection to the client who avails the services of Planners. Under these Regulations, a Member may be held responsible not only for his/her own actions but also for the conduct of his/her practices, of whatever nature (BIP, 2015). The Code is divided into three sections:

Part one contains a statement of principles and responsibilities of the planners. Responsibilities are further classified as:

1. **Responsibility to the Public:** Planners' obligation is to serve the public interest, achieve high standards of professional integrity, proficiency, and knowledge.

2. **Responsibility to Clients and Employers:** With hard-working, creative, and competent performance of the work, Planners will pursuit the interest of the client provided that activities will not contradict with the public interest and the principles of the Code.

3. **Responsibility to the Profession and Colleagues:** A member shall work for increasing cohesion among the community and intercept others from disgracing the community by his misconducts.

4. **Obligation to Colleagues:** Members should respect the rights and acknowledge the professional aspirations and contributions of their colleagues.

Part two contains the principles regarding financial matters for trade and service which includes remuneration for services, involvement with other trades/profession and involvement with other persons

Part three contains the procedural provisions of inquiry and disciplinary action. It describes the way that one may obtain either a formal or informal advisory ruling, and details how a charge of misconduct can be filed, and how charges are investigated, prosecuted, and adjudicated. It contains procedural provisions that govern situations in which a planner is convicted of a serious crime.

Critical Evaluation of BIP Code of Ethics

Unclear Definition of Public Interest and Absence of the Concept of Planning Dilemmas: For example, let us assume that a planner has to propose a special economic Zone. It will create huge employment opportunity for many unemployed (one sort of public interest), but with eviction of the local people and threat to local environment (tragedy of commons). If a planner considers that he will not approve the plan of the special economic zone to protect the local people, it also can be considered as an action regarding public interest. Again, here arises an ethical dilemma whether to serve public interest in terms of creating employment opportunity or in terms of social and environmental justice. The code should define public interest in consideration of the planning dilemmas that may arise during decision making process and also should provide clear procedure for solving such dilemmas.

Limitation (political, social, financial etc) of the Planners' Activities and Decision Making is not Considered: For example, according to the code the planners have to provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers. But in the context of Bangladesh, planners are bound to the employer organizations. If the employer organization has no such policies regarding information dissemination than what will the planners do? If they provide confidential information to the affected persons then they may be considered unethical to the employers but ethical to the public interests. The question is what is actually unethical in this situation? In the context of our country, a planner may lose his job if he undertakes any decision against the company policy although his intention is to serve public interest. The code should consider such limitations of the planners in the context of the country.

Unclear Concept about Professional integrity: The code emphasizes to achieve high standards of professional integrity. But there is no specific direction about what is actually professional integrity? It may have many meanings such as integrity to the employers, integrity to the planning decision regarding public welfare or integration in relation to personal subjective judgments. All these aspects are conflicting in nature. Now the question is what type of professional integrity should be given priority and decision making against which aspect would be considered as unethical? The code should detail out such aspects.

Limited Scope for Independent Professional Judgment: According to the code the planners shall exercise independent professional judgment on behalf of respective clients and employers and not contradict with the public interest. But in reality there is limited scope for such requirements. Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. In maximum cases, there are contradictions between the interests of the clients and independent professional judgment. In such cases what will the planners do?

Unclear Formulation of a Critical Social Justice Principle: The concept social justice not enforced or spelled out in detail. There is no differentiation between the general requirement for a critical social justice approach to planning and the requirements for professional conduct along deferential technical lines. Both were left very vague. The precise definition of "social justice values" is in need of much discussion. The big argument against enforcing a requirement that a planner should promote social justice might be that you can't tell whether a planner might have wanted to do so and intended to do so, but was pre-vented from doing so by the realities of the situation in which the planner was working. A planner should not be penalized if, despite good intentions, he or she was not able to do more to implement them. And how are we to judge a planner's "intent"?

Ethical Problems in Planning Process in Bangladesh

Table 1: Main sources of ethical problems and causes of unethical conduct in planning

Sources of Ethical Problems	Main Causes of Unethical Conduct in Planning
Planning System	Insufficiency of plans against changing conditions in globalizing world, inflexibility of plans
	Duplication of planning authorities and major conflicts among them.
	Land-owners and constructors tendency toward short-cuts, bribing, and illegal ways for building permits and plan changes.
	Inadequacy of urban areas for changing conditions and needs, especially inside the living areas.
	Rapid urbanization due to the migration from rural areas to big cities.
Planning Profession	Monopolist structure related to professional card/ladder system in planning profession
	Effectiveness of constructors in planning decisions related to the existing development structure

Sources of Ethical Problems	Main Causes of Unethical Conduct in Planning
	Changing role and structure of planning profession (planners) from main public interest and public service to a profession working in a competitive environment and liberal economy
	Undervaluing the technical issues against liberal market conditions
	Decrease in plan alteration demands due lack of plan revisions in some settlements
	Misperception of planners as only technical staffs in planning process
Conflicting Interests and Pressures	Inadequacy of tools in managing conflicts among various interests and actors in planning decision making and plan applications at the local level
	Perception of planning as one of the main tools to legalize illegal and/or problematic buildings, lands, and developments.
	Law exemptions for illegal developments just before local elections. Condoning illegal constructions for gaining votes in elections
	Contractors' and land-owners' pressures on plan decisions for their own sake, mostly against the interest of society
	Entrepreneurs' and capital owners' pressure on land development
	Appearing of land mafias seeking advantage from illegal developments and increases in planning rights through plan alterations
	Increasing conflicts due to carrying out planning with daily politics and political interests
	Administrators are acting as a representative/member of their political party in planning decision making process
Administrative Issues and Unconsciousness	Administrators lacks foresight in acting neutral to the whole Society
	Unconsciousness in cultural heritage and environmental values conservation
	Authorial weakness in conservation land values against rent
	Pressure on planners for realizing permissions which are contradictory to planning principles
	Increasing tendency of corruption and illegality
	Raising the degeneration in public administration and planning.
	Rent, competitiveness in sharing the big piece of cake in urban rents.
Improperness of Measures and Tools	Lack of taxation in rent gained by plan decisions.
	Lack of legal arrangements for the distribution of rent gained by plan decisions.
Corruption and Decay in Moral Values	Individual interests, conflicting interest of the citizens and /or companies, moral duality
	Decay in local governments

Sources of Ethical Problems	Main Causes of Unethical Conduct in Planning
	Condoning illegal constructions on public lands.
	Insufficient institutionalization of planning profession
	Systematic problems of planning (like possibility of unlimited plan alterations)
	Planners' and plan decision givers' own economic, politic, personal concerns
	Lack of/insufficiency of personal moral values against society
	Legal gaps, existence of uncertain articles in planning acts, contradictions in planning acts
Public Participation	Insufficient public participation in planning process
	Obscurity of the "public interest" concept, hardness of definition and determination of public interest in many planning cases
	Undervaluing public interest in planning process
	Lack of detailed decisions in planning laws for providing public interest

Source: Developed by the Author based on Kilinc, Özgür and Genc, 2009.

Proposed Reforms and Measures to Reduce Unethical Conduct in Planning

In the light of content and discussion in this paper, a number of recommendations are provided here for creating scope of reducing unethical conducts in planning.

o   Apply more flexible planning system, open to bargaining with the people and companies that ask for planned land

o   Review the professional system of planners, remove or lessens the ladders of planners

o   Conflicts between plans and existing cadastral plans should be reduced by updating all types of plan and completing cadastral plans

o   Planning processes should be reviewed, so that clear and understandable processed can be known by all the interested parties

o   The disadvantaged and the poor people should be informed and educated about their rights on planning.

o   The civil organizations deal with solely or indirectly with planning at the local level should be strengthened and encouraged to participate in planning processes.

o   Planners' irresponsibility against principles of planning profession

o   To reduce pressure caused by high rent, more planned land with infrastructure should be produced

o   The planners, advisers, and

o   politicians should be aware of the moral duality of the society and individual moral weaknesses which implies planning ethics

o   The governments' approach for changing the plan decisions of previous administration and lack of legal arrangements for the limitation of these changes

o   An in-depth study should be conduct with the participation of various actors and experts from academia, planners in practice, policy-makers to reduce the authority duplication among governmental units, especially between the local and central governments in planning

o   Reduce the number of authorized institutions in planning, simplify procedures when planning rights should be distributed to many planning authorities

o   Set ethical education and training programs beginning from primary school to universities as part of formal education. Integrate ethics topics into various courses and classes in education.

o   Work on improving ways on fairer distribution of development rent in the society.

Conclusion

Planners' actions can never be value free, and therefore planning analysis must try to trace explicit and implicit considerations of ethics in planning. If planners do not have a critical attitude to what ethics they work for or against or prevent from arising in practice, they cannot be sure that they are not defending interests that, in principle, they oppose. A study of planning practice should therefore also be concerned with which ethical questions and values, which ethical approaches they work within, approve or withhold. We must expect that ethical practice and considerations are adjusted to context and situation. The power of particular ethical schemes will vary considerably, and their usefulness depends on local circumstances, such as discursive hegemonies and political leadership. Therefore, any analysis of ethical discourses-in-play must consider whether the context tells something about motives and reasons behind planners' ethical acting. It is within a particular institutional and political setting that planners' opportunities for ethical choices and practices are embedded. Furthermore, this context will often be filled with conflicts about values, interests and viewpoints. But these conflicts should be mitigated based on the ethical values.

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