COPING WITH ETHICAL DILEMMAS IN A SOCIALLY RESPONSIBLE MANNER - QUANTITY SURVEYORS' PERSPECTIVE

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ABSTRACT

Ethics is a vital constituent for any profession. Therefore, professions are governed via codes of practice published by respective professional bodies as a measure of ensuring compliance of members with professional ethics. These codes necessarily reflect social interests. Recognized professional organizations with regards to Quantity Surveying profession (RICS, AIQS, IQSSL, etc.) have introduced Codes of Professional Conduct which define the standard of professional conduct to which the members must adhere as socially responsible individuals. In a context these codes have not been successfully ableto achieve comprehensive social responsibility within the practice of respective members, this study attempts to understand the grounds for ethical/unethical behaviour, ethical dilemmas and action taken by QSs in the face of an ethical dilemma within professional practice. Frequent ethical dilemmas as well as contemporary developments, such as the predicament brought in by sustainability concept, have been identified by the study to be elements that need addressing. Findings of the literature review exhibit conclusive evidence about a strong relationship among QSs' practical execution; and knowledge and experience. The study concludes with an emphasis on the need for improving education and discussion of ethics as well as social responsibility necessitated by the broader society.

Keywords: Ethical Dilemma; Ethics; Quantity Surveying; Social Responsibility; Sustainability.

1. INTRODUCTION

A profession entails the implementation of a body of unique, expert knowledge (Fellows, 2003). Professions Australia (1997, para. 2) stated that "it is inherent in the definition of a profession that a code of ethics governs the activities of each profession. Such codes require behaviour and practice beyond the personal moral obligations of an individual". The same applies to Quantity Surveying profession.

Ethical codes have been widely illustrated by MacIver (1955) as indicators of appropriate behaviour among members of a group plus between the group as a whole and outsiders. Therefore, adherence to codes of ethics/conduct is ultimately in the best interest of the society. Codes of conduct/ethics have been published by many international professional bodies including Royal Institution of Chartered Surveyors (RICS) and Australian Institute of Quantity Surveyors (AIQS) to provide guidance to individual members who are responsible and accountable for their professions (AIQS, 2010; RICS, 2007). The Institute of Quantity Surveyors Sri Lanka (IQSSL), has also introduced a Code of Conduct for Quantity Surveyors practicing in Sri Lanka which represents the standard of professional conduct to which the members of the IQSSL need to adhere (IQSSL, 2007).

However, Henry (as cited in Fellows, 2003) cautioned that codes of ethics, alone, do not solve ethical dilemmas although they do aid in raising levels of awareness and thereby encourage ethical practice. Cartlidge (2011, p.124) defined an ethical dilemma as "a situation in which two or more deeply held values come into conflict. In these situations, the correct ethical choice may be unclear". Therefore, it is important to identify the most appropriate policy to be followed in coping with ethical dilemmas.

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Fellows (2003) identified that practice of ethics relates to the level of knowledge required and the practices of using that knowledge. Findings of many researchers (Christabel, Vincent, and Fan, 2001; Fan, Ho, and Ng, 2001; Ofori and Toor, 2009; Rathnayake, 2006) agree with Fellows (2003).

However, there are still many controversial arguments on this aspect of dealing with ethical dilemma. Therefore, this research is aimed at identifying the origins of ethical dilemmas and the determinants of coping with ethical dilemmas in a socially responsible manner.

2.   QUANTITY SURVEYING PROFESSION/PROFESSIONAL

Quantity Surveying – a sub-discipline of surveying, becoming distinguished in the 17th century subsequent to the Great Fire of London, had emerged as a distinctive profession only after extensive development throughout several centuries starting from as early as 16th century (Thompson, 1968). Thompson (1968) described that during the 19th century Quantity Surveying had evolved into an organized profession concurrently to establishment of professional institutions.

Steenderen and Hutton (2008) defined that "a Quantity Surveyor (QS) is a professional person who is skilled in calculating and managing the costs of a building project before and during construction" (p.293). Association of Graduate Career Advisory Services (AGCAS) Editors (2012) agreed with Steenderen and Hutton (2008) stating that Quantity Surveying profession encompasses a variety of duties related to cost aspects of construction projects including many advisory responsibilities. Several other authors (Lee, Trench, and Willis, 2011; Smyth, 2011) also stated that Quantity Surveying profession entails functions related to contractual management, procurement and cost management.

The above opinions (AGCAS Editors, 2012; Smyth, 2011; Steenderen and Hutton, 2008; Thompson, 1968) comprehensively conclude that Quantity Surveying is a 'Profession' and Quantity Surveyor is a 'Professional'.

3.   ETHICS AND PROFESSIONS/PROFESSIONALS

Description to a 'professional' prior to institutionalization had been as follows:

> The professional man necessarily becomes his client's agent, acting on his behalf in matters of great moral, physical, or financial importance, often in ways whose validity or purpose the layman has no means of judging for himself, and it becomes of vital importance that a client should have a reasonable assurance that it is prudent to surrender control of important sections of his affairs, and that his agent will be honest, reliable and incorruptible (Thompson, 1968, p. 148).

Indirect implication of Thompson (1968) is that although it is not explicitly mentioned, professionals had been expected to be ethical in every aspect of their conduct. However, most of contemporary professionals serve and represent business organizations rather than themselves. McNaughton (as cited in Greenhalgh, 1997) held that professional education is incomplete without educating potential professionals of practical ethics and moral theory.

Follett (as cited in Martin and Shell, 1988) defined a professional as one who maintains a loyalty to a code of ethics and, thus, very few employees would qualify to be identified as 'professional'. Professions Australia (1997) held strongly that adherence to a code of ethics set up by respective professional bodies is a must for a profession. The latest definition to profession is "occupation, practice, or vocation requiring mastery of a complex set of knowledge and skills through formal education and practical experience. Every organized profession is governed by its respective professional body" (BusinessDictionary.com, 2013).

Over the years, definitions to the elements profession and professional have been woven around qualifications, competence and knowledge. On the other hand, ethics and adherence to codes of ethics have been associated consistently with the definitions of 'profession' as well as 'professional'. The definition of BusinessDictionary.com (2013) implies the same since professional bodies require

members to adhere to codes of ethics. Therefore, ethics are imperative as far as a profession is concerned. If ethics are absent an occupation is not a profession and a worker is not a professional.

4.   ETHICS VS. MORALS

The term 'moral' is manifestly associated with discussions on ethics. Yet, the scholars exhibit a vague use of it in the subject of ethics. Therefore, it would be ideal to discover the relationship between the phenomena 'ethics' and 'morals' attempting to avoid ambiguity. According to Garber, (2008) ethics are a more formalized set of standards established by the society or an organization to serve as guiding principles during decision-making and action-taking whereas morals are more personalized and internalized. Garber (2008) stood that an organization's ethics should be consistent with the moral standards of its members and the external society.

Morals are humane values held deep in the thought process of humans (Shaw, 2011). Morals may vary from person to person and from society to society although moral principles often overlap owing to the phenomenon of shared justification of interest in social wellbeing (Shaw, 2011). Shaw further noted that, in some cases, morals of individuals may not be in the best interest of the society and focus majorly on personal benefits.

However, many researchers and authors (Dabson, Plimmer, Kenney, and Waters, 2007; Garber, 2008; Shaw, 2011) unanimously agree that ethics are based on moral values and principles of human beings. Therefore, in order to maintain the clarity of factual findings morals are deemed to be good for the purpose of this research.

5.   ETHICS

Ethics are a personal statement of morals and they relate to the environment in which they have evolved (Greenhalgh, 1997). Heller (as cited in Greenhalgh, 1997) defined ethics: "Ethics is the condition of the world. Chemical substances or organisms can exist without ethics, but there is no world without ethics. 'Worlds' is not the sum total of lifeless and living things but the meaning of all those things…" (p. 223). Although, ethics are intangible and may, sometimes, not be explicit, ethics are essential to safeguard the spirit of humanity.

Greenhalgh (1997) held that ethics are continuously evolving and moral values tend to change over the time. It must have been the basis of statement made by Fewings (2008) that there has been extensive debate over definition for ethics and ethical behaviour throughout the history and it is very difficult to provide precise definitions to both phenomena. However, human sense of good and bad and right and wrong is the basis for ethics according to Fewings (2008).

The more contemporary and scientific explanations of ethics reiterate that 'good' constitute ethics. The Journal of Business Ethics (as cited in Fewings, 2009) describes ethics as "all human actions aimed at securing a good life" (p. 1). Shaw (2011) contended that "Ethics deal with individual character and the moral rules that govern and limit our conduct. It investigates questions of right and wrong, duty and obligation, and moral responsibility" (p. 9).

Everingham (as cited in Wickramasinghe, 2012) revealed that ethics is generally concerned with human behaviour and categorized ethics into three categories, based on findings of researchers in the field of construction, as follows:
- Personal ethics
- Business ethics
- Professional ethics

Ethics itself is a personal phenomenon (Fellows, 2003). Cartlidge (2011) agreed by establishing that "Ethical behaviour is developed by people through their physical, emotional and cognitive abilities. People learn ethical behaviour from families, friends, experiences, religious beliefs, educational institutions and the media" (p. 123).

A study by Vee and Skitmore (2003) revealed that the general perception in the construction industry and, arguably, in the society at large is that business ethics should not take precedence over personal ethics and it is believed that personal ethics should drive business ethics.

Professional ethics concerns the morality of the behaviour of professionals in their day-to-day practice and it ascribes moral responsibility to professionals practising in a particular profession (Fan et al., 2001).The core purpose of professional ethics is to guarantee that unfair advantage is not taken by the expert over the lay person due to the knowledge gap – 'customer protection' through professional self-regulation (Fellows, 2003). Dabson et al. (2007) further held the following:

> Professional ethics must be viewed from the point of view of the individual professional, who is required to make ethical decisions; from the professional association which expects an ethical stance from its membership, and seeks to regulate and benefit from their ethical behaviour; and of the employer organisation which both influences and is influenced by the ethical principles of its professional employees (p. 12).

Vee and Skitmore (as cited in Fewings, 2009) held that professional ethics are driven by personal ethics. Conclusively, scholars in the field (Cartlidge, 2011; Dabson et al., 2007; Edwards and Pottinger, 2010; Fellows, 2003; Fewings, 2009; Vee and Skitmore, 2003) collectively maintain that ultimately it is at the discretion of the individual person to make the final judgement based on personal ethics – personal values and beliefs. Ethical theories further sustain the argument.

5.1. *ETHICAL THEORIES*

According to (Wickramasinghe, 2012) ethical theories have been developed in attempt to answer the questions:
– How people ought to behave?
– What kinds of acts are moral?

Ethical theories, namely, 'Consequential theories' and 'Deontological theories', have evolved from modified criteria developed by ethical thinkers and philosophers for assessing the morality of human decision-making and searching for the bases of morality (Fan *et al.,* as cited in Wickramasinghe, 2012).

1. Consequential Theories

According to Fan et al. (as cited in Wickramasinghe, 2012) consequential theories (i.e. Egoism and Utilitarianism) examine consequences of an action which predict the actions of an individual in a way that minimizes or maximizes individual or social benefits. The following table summarizes the attributes of Egoism and Utilitarianism:

Table 1: Attributes of Consequential Theories (adopted from Fan et al., as cited in Wickramasinghe, 2012)

Theory	Focus	Judgement of Behaviour
Egoism	Individual good (self-love and self-interest)	The individual's self-interest and values are the deciding factors for judging behaviour.
Utilitarianism	Social good (greatest good for the greatest number)	Act utilitarianism – maximization of happiness in performing an act
		Rule utilitarianism – tests whether an act would end up in more happiness than unhappiness

2. Deontological Theories

As described by Fan *et al.* (as cited in Wickramasinghe, 2012):

Deontological theories are the non-consequential theories which look at the means of arriving at ethical decisions. Theory of rights, theory of duty, theory of justice and categorical imperativeness are examples for this. In the 1600s, Shaftesbury laid the foundation for the theory of rights and explained the origin of the moral conceptions. Subsequent advocates of moral rights classified the fundamental rights of humans into different branches as the right to free consent, the right to privacy, the right to freedom of conscience, the right of free speech (p. 12).

6. CODES OF PROFESSIONAL ETHICS/CONDUCT

Chalkey (as cited in Greenhalgh, 1997) quoted the Ormrod Committee Report on Legal Education of 1971 in an attempt to describe the function of codes:

> A self-imposed code of ethics is intended to correct the imbalance in the relationship between the professional man and his client and resolve the inevitable conflicts between the interests of the client and the professional man or the community at large (p. 260).

Deinhart (as cited in Dabson *et al.,* 2007) argued, with a different perspective, that codes do not and cannot do anything to change the behaviour of those whose actions and standards are inappropriate and those whose behaviour is entirely appropriate do not need a code anyway. View of Deinhart (as cited in Dabson *et al.,* 2007) again directs towards the phenomenon that the individual person holds the key for ethical behaviour regardless of the presence of codes, although codes are effective drivers.

7. SOCIAL RESPONSIBILITY THROUGH CODES OF ETHICS/CONDUCT

Many scholars in the field of professionalism (Dzur, 2010; Shamoo and Resnik, 2009; Wilding, 1982), during different times, have held a similar opinion with regards to the 'social responsibility' vested in professions as well as professionals by means of Codes of Conduct and expectations of the society as a whole.

According to Wilding (1982) "Accountability to individual clients is only one part of genuine professional responsibility and that can only be adequately achieved through a broader notion of social responsibility" (p. 130). Shamoo and Resnik (2009) remarked that "professions have codes of ethics to achieve self-regulation and promote social responsibility" (p. 10).

Professional Codes justly comply the opinions of above researchers (Dzur, 2010; Shamoo and Resnik, 2009; Wilding, 1982), about social responsibility, i.e. "A Member should be guided as much by the spirit of the Rules as by the express terms" (RICS, 2007, p. 4); "Members, partnerships or corporations shall maintain a high professional standard, be of good fame, integrity and character" (AIQS, 2010, Section 3); "Quantity Surveyors shall always act so as to uphold and enhance the honour, integrity and dignity of the profession while safeguarding public interest at all times….." (IQSSL, 2007, p.2).

Dzur (2010) maintained that professionals surpass self-interested economic rationality and are primarily oriented in the community interest rather than in individual interest. On the other hand, Dzur (2010) justified social expectations stating that "The larger society can rightly expect that the influential knowledge and skills of professionals serve social purposes, especially since professions are granted significant leeway in regulating their own conduct" (p. 46). As much as society expects professionals to be socially responsible they are put under close scrutiny by the codes in terms of social responsibility.

8. ETHICAL DILEMMAS

According to Fewings (2009) an ethical dilemma involves choosing between two or more imperfect alternatives – outcomes are likely to affect people in different ways and there is a need to apply some discretion and judgement based on the experience and other criteria. Shaw (2011) contended that an ethical disagreement does not imply that all opinions are correct; it would leave an individual in a dilemma forcing him or her to choose one side.

However, the scholars (Cartlidge, 2011; Fewings, 2009; Shaw, 2011) have not demonstrated explicitly that two or more valued choices are open for an individual facing an ethical dilemma. An ethical dilemma needs to be considered necessarily as a situation that demands the choice of better one from two good options rather than choosing the good one from a mix of good and bad options. Accordingly, ethical dilemmas require to be recognised as positive occurrences. Decision made in the face of dilemma will be attributable to individual characteristics.

8.1. ETHICAL DILEMMAS FACED BY QUANTITY SURVEYORS

According to Herkert (1999) Ethical dilemmas faced by Engineers have been identified to be related to: Public safety and welfare; Risk and the principle of informed consent; Conflict of interest; Integrity of data and representation of it; Whistleblowing; Choice of a job; Accountability to clients; Plagiarism and giving credit where due; Trade secrets and industrial espionage; Gift giving and bribes; and Fair treatment.

However, the most frequent ethical dilemma experienced by QSs involve acceptance of hospitality or gifts from the contractors, subcontractors and clients (Cartlidge, 2011).

Rathnayake (2006) identified several ethical dilemmas faced by the QSs in Sri Lankan context of which attempts taken by the Bidders to influence the Consultants being the most critical and frequent. Following are the other ethical dilemmas faced by QSs (Rathnayake, 2006): Collusive tendering; Favouritism in awarding tenders and evaluating tenders; and Drafting vendor oriented specifications. However, those phenomena discovered by Rathnayake (2006) fall behind the definition of ethical dilemmas as most of the discussed issues do not present individuals with two ethically desirable ends.

Ofori and Toor (2009) brought up a newer development of ethical concern for QSs – sustainability vs. face cost, to go beyond their present focus on cost to provide leadership in the area of overall economic viability of construction that incorporates the concept of 'sustainability'. With much emphasis being placed on sustainable construction (Cartlidge, 2011), in order to mitigate inevitable consequences of energy and environmental crises, dilemma of sustainability vs. cost is likely to occur frequently. However, this particular type of dilemmas has been hardly addressed by the existing research literature.

8.2. ORIGINS OF ETHICAL DILEMMAS – PROFESSIONAL PERSPECTIVE

Fewings (2009) believed that personal ethics are highly prone to clashing with company policy. In approval of that, Shaw (2011) identified that several aspects of corporate structure and function force the professionals to supress individual moral responsibilities. The following specific elements limit the individual integrity of professionals serving in business organizations (Shaw, 2011):

1. Organizational norms

Norms of business organizations, at least the greater portion of them, have been derived from profit oriented goals of the organizations. What the society expects from ethical persons is contrary to what is expected by the organization from efficient, profit-minded members of the organization. Joseph, Badaracco and Webb (as cited in Shaw, 2011) had also confirmed the validity of the argument.

2. Pressure to conform (groupthink)

Extreme conformity to the group individuals work in lead to groupthink. When there is pressure for concord within a solidly bound group overpowering desire or ability, to appraise situation realistically and take alternative courses, of its members 'groupthink' occurs. Organizational norms contribute to groupthink to an extent and these two phenomena ultimately lead to the surrender of individual moral autonomy.

3. Diffusion of responsibility

Responsibility is fragmented and diffused throughout an organization across different levels – vertically and horizontally. Due to participation of many people, single individuals are highly unlikely see himself or herself responsible for what the organization is doing. Individuals tend to disregard their accountability owing to the fact that individuals have no control over the organization's dealings as a cohesive whole.

Shaw (2011) argued, about adhering to professional codes, that it is ultimately the individual who should decide on which morals to stand by:

> Conformity with our considered moral beliefs is an important consideration in evaluating moral principles. A considered moral belief is one held only after we have made a conscientious effort to be conceptually clear, to acquire all relevant information, and to think rationally, impartially, and dispassionately about the belief and its implications. We should doubt any moral principle that clashes with many of our considered beliefs (p. 35).

Implication of Shaw (2011) is that professional codes, themselves, can stimulate ethical dilemmas if they come into disagreement with personal ethics as well as clashing personal beliefs.

However, as personal variables – knowledge, perception and moral values – determine the personal ethics and it is personal ethics that eventually influence the individual professionals, as identified earlier by this paper, potential of inducing an ethical dilemma is held by personal variables themselves. If only knowledge, attitudes and values of the individual stand against organizational policy/ethics there will be ethical dilemmas. The indirect implication suggests that to face with an ethical dilemma one has to possess sufficient knowledge and socially responsible moral values.

Ultimately, an ethical dilemma is not a bad thing. Only a socially sensible and morally sound person is likely to face with ethical dilemmas. Naturally, such a person can be strongly anticipated to make the best possible choice in response.

8.3. RESPONDING TO ETHICAL DILEMMAS

Garber (2008) held that each individual has a 'moral compass' that directs and helps individuals through moral dilemmas in daily lives. There exists a personal code of ethics for all individuals, drafted based on past experience and lessons learnt, and decisions made in response to dilemmas reflect the influences and expectations of those who are important to the individuals as well as the personal code (Garber, 2008).

Kohlberg (as cited in Fewings, 2008) came up with a theory categorizing why people make decisions. Kohlberg believed that there were three levels of moral reasoning and six stages of development with an irreversible development of approach, depending on personal values of the individuals, through the stages from one to six (Table 2).

Table 2: Kohlberg's Stages of Moral Reasoning (Fewings, 2009)

Level	Focus	Stage	Orientation
Pre-conventional morality	Self-interest	1	Avoiding punishment or harm
		2	Self-interest and individualism
Conventional morality	Community interest	3	Community norms + relationships
		4	Maintaining social order
Post-conventional morality	Universal justice	5	Just rules and consensus
		6	Universal principles – autonomous

Shaw (2011) emphasized the importance of adhering to the codes of conduct for respective professions and declared that individuals carry responsibility to assess whether they are consistent with the morals of the individual in case of ethical dilemma.

Ho (2011) reviewed ethical decision making model which had been proposed by scholars in the field of ethical philosophy (Table 3):

Table 3: Ethical Decision-Making Models (Ho, 2011)

Decision Making Model	Source (as cited in Ho, 2011)
Four-component ethical decision-making model	Rest (1986)
Contingency model	Ferrell and Gresham (1985)
Person-situation interactionist model	Trevino (1986)
Behavioural model	Bommer et al. (1987)
Integrative model	Stead et al. (1990)
Issue contingent model	Jones (1991)
Social network model	Brass et al. (1998)
General ethical decision-making model	Wittmer (2005)

Ho (2011) stood that all ethical decision-making models construct decision-making based upon three sets of variables:

1. Individuals
2. Situational/Organizational
3. Moral intensity

The researchers (Fewings, 2009; Garber, 2008; Ho, 2011; Shaw, 2011) conclusively agree that as much as personal variable determine ethical behaviour of individuals and cause ethical dilemmas, personal variable are decisive in determining the course of action an individual professional would make in the face of an ethical dilemma.

8.4. *KNOWLEDGE AND EXPERIENCE VS. ETHICS AND ETHICAL DILEMMAS*

According to Fan *et al.* (2001) QSs consider that professional ethics reading materials enhance their professional image and help in addressing and providing a working guideline for solving major ethical problems. The same study (Fan *et al.,* 2001) concluded urging the need for the introduction of courses in professional ethics standards helping professionals to resolve ethical dilemmas during day-to-day practice.

Christabel *et al.* (2001) came up with a discrepancy in the standards of professional ethics between senior and junior surveyors and found that there exist wide and significant variances towards ethical concepts and decision-making considerations between senior and young practitioners. Christabel and Vincent (2003), in a subsequent study, confirmed that the more experienced and higher educated the QSs are the more they are willing to sacrifice their self-interests for the sake of social good when facing ethical dilemmas. Fellows (2003), in agreement, established that ethics relates to the level of knowledge required and the practices of using that knowledge. Rathnayake (2006) confirmed the same for Sri Lankan QSs.

Ho (2008) concluded, based on results of a case-study research conducted to study the ethical behaviours of QSs, that there is a significant impact of education and experience on the attitude of QSs towards sacrificing their self-interest for the greater good and it was found that more junior QSs place more emphasis on duty whereas more senior professionals are more concerned about process and consequence. Results of Ofori and Toor (2009) agreed with those of Ho (2008) copiously. This

strongly implies that knowledge can inculcate positive morals – behavioural change in individuals for good, making them face ethical dilemmas and necessarily make the sensible choice.

9.   CONCLUSIONS

Adherence to Codes of Conduct/Ethics is unavoidably associated with professions and practitioners of professions – the professionals. The profession and professionals of Quantity Surveying are no different in that sense. Professional bodies world over have introduced Codes of Professional Ethics/Conduct as a means of regulating their members and providing guidance. Professional persons, as individuals, have their own value systems and personal ethics – thinking patterns and morality. They make decisions about ethically right and wrong based on their personal variables – values, beliefs, experience and knowledge. Personal ethics tend to associate social responsibility. Professional Codes further assist individuals to determine whether they are acting morally or with social responsibly.

Professionals can face ethical dilemmas due to conflicting values: company policy clashing with personal ethics, clashing personal values or moral principles, and Professional Codes clashing with personal beliefs. An ethical dilemma necessarily involves personal values contradicting with external elements. Knowledge and experience play obvious roles in inducing ethical dilemmas as personal morality, perception and rationality evolve corresponding to personal lessons learnt. As far as ethical dilemmas faced by QSs are concerned, sustainability vs. cost is a new development alongside more frequent cases of conflict of interest, influence through bribery/gift, etc.

As much as knowledge and experience play roles in stimulating ethical dilemmas, they provide the basis for coping with ethical dilemmas in a socially responsible manner. This is prominent as far as research findings in the subject are concerned – senior professionals are noticeably ahead in coping with ethical dilemmas in socially responsible way as well as prioritizing social wellbeing within their conduct.

Conclusive implication is that education, research and open discussion, in terms ofethics, social good, sustainability, etc., need improvement so as to instil social-interest and social responsibility into value system and thought process of Quantity Surveying professionals. Thus, ethical dilemmas would be coped with a higher degree of social responsibility.

10.   REFERENCES

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