Notes Towards a Professional Code of Ethics
for the
Association of Enterprise Architects

Leonard Fehskens

26 June 2013

Introduction

"Unions are, like businesses, primarily organizations of self-interest. They exist for the benefit of their members, just as businesses exist for the profit of their owners. A profession, in contrast, is organized to help its members serve others — according to a certain ideal expressed in its code of ethics." [Davis1991]

Harold Wilensky, an organizational sociologist at The University of California Berkeley, studied what he calls the "process of professionalization" and observed the occurrence of certain common steps toward the recognition of a discipline as a profession. These are summarized in the following table [Wilensky1964]:

<table>
<thead>
<tr>
<th>Established</th>
<th>First Local Professional Association</th>
<th>First National Professional Association</th>
<th>First State License Law</th>
<th>Formal Code of Ethics</th>
<th>No. of Errors</th>
<th>No. of Ties</th>
<th>Per Cent Error by Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounting (CPA)</td>
<td>18th cent.</td>
<td>1815</td>
<td>1817</td>
<td>1837</td>
<td>1896</td>
<td>1917</td>
<td>0</td>
</tr>
<tr>
<td>Architecture</td>
<td>18th cent.</td>
<td>1815</td>
<td>1817</td>
<td>1837</td>
<td>1896</td>
<td>1917</td>
<td>0</td>
</tr>
<tr>
<td>Civil engineering</td>
<td>18th cent.</td>
<td>1819</td>
<td>1847</td>
<td>1848</td>
<td>1852</td>
<td>1908</td>
<td>ca. 1920</td>
</tr>
<tr>
<td>Dentistry</td>
<td>18th cent.</td>
<td>1840</td>
<td>1867</td>
<td>1841</td>
<td>1843</td>
<td>1868</td>
<td>1866</td>
</tr>
<tr>
<td>Law</td>
<td>17th cent.</td>
<td>1784</td>
<td>1837</td>
<td>1802</td>
<td>1878</td>
<td>1732</td>
<td>1908</td>
</tr>
<tr>
<td>Medicine</td>
<td>ca. 1700</td>
<td>1765</td>
<td>1779</td>
<td>1735</td>
<td>1847</td>
<td>Before 1780</td>
<td>1912</td>
</tr>
<tr>
<td>Others in process, some marginal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Librarianship</td>
<td>1722</td>
<td>1887</td>
<td>1897</td>
<td>1885</td>
<td>1876</td>
<td>Before 1917</td>
<td>1928</td>
</tr>
<tr>
<td>Nursing</td>
<td>17th cent.</td>
<td>1861</td>
<td>1909</td>
<td>1885</td>
<td>1896</td>
<td>1903</td>
<td>1930</td>
</tr>
<tr>
<td>Optometry</td>
<td></td>
<td></td>
<td>1892</td>
<td>1910</td>
<td>1896</td>
<td>1901</td>
<td>ca. 1915</td>
</tr>
<tr>
<td>Pharmacy</td>
<td>1844</td>
<td>1831</td>
<td>1868</td>
<td>1821</td>
<td>1852</td>
<td>1874</td>
<td>ca. 1850</td>
</tr>
<tr>
<td>School teaching</td>
<td>17th cent.</td>
<td>1823</td>
<td>1879</td>
<td>1794</td>
<td>1857</td>
<td>1781</td>
<td>1929</td>
</tr>
<tr>
<td>Social work</td>
<td>1800^1</td>
<td>1896</td>
<td>1904</td>
<td>1918</td>
<td>1874</td>
<td>1940</td>
<td>1948</td>
</tr>
<tr>
<td>Veterinary medicine</td>
<td>1803</td>
<td>1852</td>
<td>1879</td>
<td>1854</td>
<td>1863</td>
<td>1886</td>
<td>1866</td>
</tr>
<tr>
<td>New</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City management</td>
<td>1912</td>
<td>1921</td>
<td>1948</td>
<td>After 1914</td>
<td>1914</td>
<td>None</td>
<td>1924</td>
</tr>
<tr>
<td>City planning</td>
<td>19th cent.</td>
<td>1909</td>
<td>1909</td>
<td>1947</td>
<td>1917</td>
<td>1968</td>
<td>1948</td>
</tr>
<tr>
<td>Hospital administration</td>
<td>19th cent.</td>
<td>1921</td>
<td>1924</td>
<td>After 1914</td>
<td>1914</td>
<td>None</td>
<td>1924</td>
</tr>
<tr>
<td>Deceased</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertising</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funeral direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* *

[1] The total number of data out of order in group divided by total possible entries in group.
[2] The error for the whole table are 31 per cent of possible entries.
[3] Data is in final column of table by group.
[5] Only three of four physicians are known to have applied for the Canadian
er in 1910.


("C") designates last inference from available information.
On the path a discipline takes to becoming a profession, the creation of a formal code of ethics represents a significant milestone.

“Eventually rules to eliminate the unqualified and unscrupulous, rules to reduce internal competition, and rules to protect clients and emphasize the service ideal will be embodied in a formal code of ethics.” [Wilensky 1964]

A profession is generally characterized by expertise which is opaque to its clients, making it difficult for clients to assess a professional’s mastery of the necessary skills and knowledge, and the relevance of the professional’s experience. The relationship between professionals and their clients is thus inherently asymmetric, with the client both depending on and having to trust the professional.

**Purpose of a Code of Ethics**

This asymmetric relationship of trust and dependence creates opportunities for ethical dilemmas:

“It has long been recognized that the expertise and privileged position of professionals confer authority and power that could readily be used to advance their own interests at the expense of those they serve.” [Frankel 1989]

Mark Frankel [Frankel 1989] identifies 8 roles that a code of ethics can play for a profession:

- **Enabling document** – “As a distillation of collective experience and reflection, a code can offer guidance to individual professionals by simplifying the moral universe and by providing a framework for organizing and evaluating alternative courses of action”
- **Source of public evaluation** – “As a visible pronouncement of a profession’s self-proclaimed role and values, a code can function as a basis for the public’s expectations and evaluation of professional performance, thus serving as a mechanism for holding the profession and individual professionals accountable”
- **Professional socialization** – a code can “help to foster pride in the profession and strengthen professional identity and allegiance”
- **Enhance profession’s reputation and public trust** – “To the extent that a code confers benefits on clients, it will help persuade the public that professionals are deserving of its confidence and respect, and of increased social and economic rewards”
- **Preserve entrenched professional biases** – “Any profession has a clear, tangible stake in protecting its members’ professional monopoly, and a code of professional ethics can help secure such protection”
- **Deterrent to unethical behavior** – “In addition to promoting ethical conduct, a code may serve as a deterrent to unethical behavior…”
- **Support system** – “A code may also constitute a legitimate source of support for professionals against unwarranted erosion of their power or improper demands on their skills by outsiders”
- **Adjudication** – “Codes may serve as a basis for adjudicating disputes among members of the profession or between members and outsiders”
The literature on professional codes of ethics tends to emphasize the “enabling document”, “enhance profession’s reputation and public trust”, and “deterrent to unethical behavior” roles.

This literature shows a surprising variety of ways the community of nominal experts on professional codes of ethics thinks about the subject. Some commentators draw distinctions between codes of ethics, standards of conduct, and codes of practice (see, for example, [Davis2009], p. 52). Others observe that in practice, things called a “code of ethics” often mix these up, sometimes with other things as well, especially material about individual character reminiscent of the Boy Scout Law [BSA]:

A Scout is: Trustworthy, Loyal, Helpful, Friendly, Courteous, Kind, Obedient, Cheerful, Thrifty, Brave, Clean, and Reverent.

John Kultgen, Professor of Philosophy at the University of Missouri, has compiled a table of the subjects addressed by several representative professional codes of ethics [Kultgen1988]. This table is reproduced in Appendix A.

In general, the less well bounded a concept of a code of ethics is, the more likely the code of ethics will be lengthy, complex, and lacking coherence. This will in turn increase the likelihood that the code of ethics can be interpreted in different ways, making it difficult to use and enforce.

“A code that means different things to different people can do more harm than good.” [Kultgen1988]

These observations suggest that a code of ethics for the enterprise architecture profession should focus on the “enabling document role”, dealing with the specific kinds of ethical challenges a practicing enterprise architect might encounter, and addressing the public image and deterrent roles as secondary consequences of this focus.

The literature of professional ethics is clear on one thing – a code of ethics must be unambiguous, understandable and relevant.

**Stakeholder Classes**

While the primary motivation for a code of ethics is the asymmetric relationship between the professional and the client, others participating in or affected by the practice of enterprise architecture may be involved in or affected by an ethical dilemma. These include:

- Individual Practitioners – the members of The Association of Enterprise Architects, who will be expected to agree to conform to the code of ethics
- Practitioners’ Colleagues – people with whom practitioners work and, in particular, collaborate
- Practitioners as a Profession – the profession of enterprise architecture as a whole
• Employers of Practitioners – the people who directly compensate (pay and benefits) practitioners. A practitioner may be self-employed.
• Clients of Practitioners – the people or organizations on whose behalf practitioners work; the consumers of practitioners’ work products
• Society – Society at large, especially the great majority who are largely unaware of or indifferent to the practice of enterprise architecture.

**Bad Things**
The occurrence of an ethical infraction may have different kinds of outcomes that are generally considered unfair or unethical:

• Personal advantage, accruing to the individual practitioner considered to be responsible for the ethical infraction
• Client disadvantage or harm
• 3rd party disadvantage or harm (this 3rd party may be another enterprise architecture practitioner, a member of a different profession, a non-professional, an organization, the enterprise architecture profession, another profession, society, ...)
• 3rd party advantage

**Mechanisms**
An ethical infraction may be the result of an action or inaction on the part of a practitioner, and may be intentional (deliberate) or unintentional (inadvertent):

• Malfeasance – commission: a deliberate action which results in an unethical outcome, regardless of the practitioner’s awareness, understanding or acknowledgement of the unethical nature of the action or outcome.
• Malfeasance – omission: a deliberate failure to act which results in an unethical outcome, regardless of the practitioner’s awareness, understanding or acknowledgement of the unethical nature of the outcome.
• Incompetence – a practitioner’s lack of the necessary skills, knowledge or experience resulting in an unethical consequence. Incompetence is assumed to be unintentional. As a practitioner’s taking on a task which is beyond their capabilities requires a deliberate act of commitment, incompetence is a special case of malfeasance.
• Unintended/unanticipated side effects – an unethical outcome that could not have been foreseen by any practitioner judged to be competent for the task undertaken.

**Examples**
Combining these kinds of outcomes with these kinds of mechanisms, one can generate some examples of the kinds of ethical infractions a code of ethics might identify as unethical:

• Using privileged (“insider”) information about a company’s strategy or imminent actions to make highly profitable stock market trades
• Selling innovative product or process information to a company’s competitor
• Observing unethical activities on the part of colleagues and failing to report it to the appropriate people
• Using the capital resources of a company for a personal project or business venture
• Providing advice or recommendations to a company that are unfairly advantageous to a third party company or individual in exchange for their preferential treatment in other business dealings
• Appropriating someone else’s ideas or work and presenting it as your own.

**Consequences**

Codes of ethics which cannot be or are not enforced in some way are nothing more than rhetorical gestures. While a professional body generally cannot prevent its members from violating its code of ethics, it can provide sanctions to be applied when the code has been violated. Such sanctions are generally gradated to be proportional to the severity of the ethical violation. They include:

• Admonishment or censure – the practitioner receives a formal notification of the professional body’s disapproval of the practitioner’s ethical violation. This notification may also be published so that it is visible to the professional body’s membership and possibly the general public.
• Suspension of membership – the practitioner’s rights and privileges as a member of the professional body are suspended for some period of time. This will typically include censure.
• Suspension of professional credentials – the professional body recommends to some other accrediting or certifying body that the practitioner’s professional credential be suspended for some period of time. This will likely require that an agreement between the two organizations have been previously negotiated. This recommendation may be in addition to suspension of the practitioner’s professional association membership.
• Revocation of membership – the practitioner’s rights and privileges of membership are revoked and future membership in the professional body is disallowed.
• Revocation of professional credentials – the professional body recommends to some other accrediting or certifying body that the practitioner’s professional credential be revoked. This will likely require that an agreement between the two organizations have been previously negotiated. This recommendation may be in addition to revocation of the practitioner’s professional association membership.

**Governance**

Implementing a code of ethics requires several operational capabilities:

• Commitment to the code – it must be possible for members of the professional body to commit to the code in some substantive way.
• Detecting and reporting violations – while the detection of ethical violations is unavoidably dependent on the vigilance of individuals, there must be a mechanism for them to report suspected ethical violations. There is general agreement that both the reporting and subsequent assessment of suspected ethical violations should not have adverse consequences for those involved.
The deliberate false reporting of ethical issues should be treated as an ethical issue itself.

- Investigating and assessing alleged violations – there must be an objectively defined process for investigating suspected ethical infractions and drawing conclusions about their nature and severity.
- Appeals – no process is infallible. There must be means for a member found to have violated the code of ethics to request an appeal and review of the decision.
- Rehabilitation and reinstatement – in some cases, it may make sense to offer a member found to have violated the code of ethics a means to make restitution and demonstrate having “learned the lesson” via a process of rehabilitation and reinstatement.
- Record keeping – all of the above require that accurate and readily accessible records be kept, with appropriate confidentiality controls.
- Amending the Code – it is unlikely that the first version of a code of ethics will “get it all right”. It must be possible for the membership to propose, debate and agree or decline to adopt changes to the code.

**Moving Forward**

“What is the value of codification?

The most obvious function is guidance for those practitioners who have not thought through moral issues. Codification would be otiose if the obligations of professionals were always obvious and could be met without sacrifice, if professionals never faced difficult dilemmas or always did what was right as a matter of course or could handle every question on the basis of common morality. Debates over confidentiality, conflict of interest, bribery, paternalism, whistle-blowing, credit for the work of others, social responsibilities, etc. show that these conditions are not met. Hard thinking and searching dialogue are necessary. A rational code would contain the results individuals would have reached themselves if they had reasoned objectively long enough on an adequate base of experience. If such a code is available, it relieves professionals of most of the burden of ethical inquiry. After all, their primary responsibility is to heal, counsel, minister, design, etc., not to puzzle over ethical questions. Most in matter of fact do not reflect on ethics until faced with difficult questions, when the pressure of action prevents careful thought. It would simplify their moral universe to have solutions at hand which had been worked out on the collective experience and wisdom of the moral community.” [Kultgen1988]

Drafting a code of ethics for an emerging profession is an important design problem fully deserving the application of all the skills and discipline we can bring to bear on the problem as enterprise architects. It is not something we can or should take lightly. As noted earlier, a code of ethics is a foundational milestone in the development of a profession that creates the cultural context for both how the profession sees itself and how it is seen by others.

A code of ethics must be tailored to the specific situations that practitioners adopting it can expect to find themselves in.
“If the basic conception of the profession’s values, roles and functions is inconsistent with the reality experienced by its members, the basis for the respect of the profession’s ethics will erode ...”. [Frankel1989]

This salient observation suggests that the first step to developing a code of ethics for the enterprise architecture profession is to map the profession’s “opportunity space” for ethical violations.

Enterprise architecture is a profession whose clients are typically organizations rather than individuals. This will also affect the kinds of ethical situations enterprise architects may encounter.

While analogies with building architecture and city planning are commonly used as a basis for talking about enterprise architecture, the medium of expression of enterprise architecture is fundamentally different from those of other disciplines that are superficially similar. Thus, the understandable temptation to develop a code of ethics for the enterprise architecture profession by revising a code of ethics for a seemingly similar or related profession is to be resisted.

“The process used to develop a code is as important as the code itself. A review of similar codes that have already been developed can be useful to provide a starting point. However, simply copying an existing code will not address the specific needs of an organization or a professional body, neither will it be a convincing document for that organization’s membership.” [Berleur2004]

The analysis in earlier sections of this document suggests that a feasible way to organize and populate the map of the enterprise architecture profession’s “ethical opportunity space” is to consider it as having the dimensions of:

- Who: the stakeholder(s) whom the ethical dilemma affects or involves
- Why: the “motivation” for the ethical dilemma (personal advantage, client disadvantage, 3rd party advantage, 3rd party disadvantage)
- What: the enterprise architecture medium by which the advantage or disadvantage is conferred (e.g., information, money, capital resource, decision making influence or authority, ...)
- How: the mechanism by which the ethical dilemma arises (commission, omission, incompetence, unforeseeable/unintended side effect)

Finally, there is general agreement that the development of a code of ethics should be as participatory a process as possible.

“The widespread participation of members in such an effort helps to reinvigorate and bring into sharp focus the underlying values and moral commitments of their profession.” [Frankel1989]

“A code that has been democratically produced is more likely to be accepted and honored by those subscribing to it than one that is delivered as a ‘fait accompli’.” [Berleur2004]

“As long as the process remains insulated from public evaluation, it is at least questionable, if not unlikely, that it can produce a code that
will be optimally understanding of and sensitive to the perspective of those whom the profession is pledged to serve.” [Frankel1989]

A professional body can certainly provide the means by which its members can participate in and contribute to such an undertaking, especially agreeing to adopt the code as a professional body, and to agree to conform to it individually. The participation of other stakeholders is more problematic. Thus, a fundamental “design problem” for the development and adoption of a code of ethics is to decide to what extent the participation of these other stakeholders is seen as necessary or desirable, and how this participation might be achieved.

Resources


[BSA]

http://usscouts.org/advance/boyscout/bsoathlaw.asp


http://www.erie.buffalo.edu/REU/REU%20readings/Davis-ThinkingLikeEngineer-PPA.pdf


[Skakoon2001] Skakoon, James G (original by W. J. King), The Unwritten Laws of Engineering, ASME Press, 2001; Appendix “Representative Professional Codes of Ethics”
Appendix A

Content Analysis of Professional Codes of Ethics

[Kultgen1988]

<table>
<thead>
<tr>
<th></th>
<th>AAUP</th>
<th>ABA</th>
<th>AICPA</th>
<th>AMA</th>
<th>APA</th>
<th>ECPD</th>
<th>IEEE</th>
<th>SDC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>5</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>6</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>13</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Table 1: Content Analysis of the Codes

1. Competence, objectivity, honesty about qualifications.
2. Continuing professional development.
3. Enlargement of knowledge, research, publication.
4. Making services available to those who need them.
5. Loyalty to clients, employer, or institution, avoidance of conflict of interest, bribery.
6. Respect for autonomy, privacy, confidentiality, trade secrets.
7. Nonexploitation of clients, students, research subjects, and animals.
8. Proper treatment of subordinate, fairness, encouraging professional development, giving credit.
9. Territorial rights of colleagues, cooperation, giving proper credit, fair competition.
10. Monitoring colleagues, reporting malfeasance, preventing unauthorized practice.
11. Protecting honor and dignity of profession, publicizing its merits.
12. Avoidance of harm to outsiders, the public, the environment.
13. Truthfulness in public statements.
14. Effort to reform institutions that bear on profession.
15. Involvement in community activities not related to profession.

AAUP American Association of University Professors: Statement on Professional Ethics
ABA American Bar Association: Model Code of Professional Responsibility
AICPA American Institute of Certified Public Accountants: Rules of Conduct
AMA American Medical Association: Principles of Medical Ethics; and Current Opinions of the Judicial Council
APA American Psychological Association: Ethical Principles of Psychologists
ECPD Engineers Council for Profession Development: Code of Ethics for Engineers, with Guidelines
IEEE Institute of Electrical and Electronics Engineers: Code of Ethics
SDC Sigma Delta Chi [Society of Professional Journalists]: Code of Ethics