PROFESSIONALISM
MORAL STANDARDS AND ETHICAL PRACTICES

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Professionalism is a singularly unique topic and could have been the theme of many of our recent annual conferences. It is something that is often thought about, but rarely talked about and little or nothing is done about it. It almost becomes like ones religion or sex life -- to personal to talk about. Being amongst my peers I am inspired to re-evaluate the word -- PROFESSIONALISM -- in search of a common ground using references from many sources as well as my own philosophies acquired throughout the years.

Why do we have a Code of Ethics and what are the benefits of them? Many states have a Code of Ethics which surveyors and other licensed professionals agree to abide by when they are licensed. ACSM, NSPS and the Minnesota State Board of Registration all have a Code of Ethics. All are different, but the basic intent and primary theme in all of them is honesty and integrity in providing protection for the public which is a concern by all. When you are licensed in Minnesota you sign the Minnesota State Board of Registration Code of Ethics and agree to abide by them. All licensed professionals agree to abide by this code in their protection of the health, welfare and safety of the public which we as a group serve. When persons renew their license on a bi-annual basis, the Minnesota State
Board of Registration is concerned because professionals are less than honest in filling out their continuing education credits. This is a matter of honesty, integrity and ethical conduct and a reason for the Minnesota State Board of Registration requiring two (2) hours of ethics in the continuing education credits for license renewal. Professionalism and ethics have been discussed in MLSA and MSPS meetings from as early as 1959 to the present time by many people. See the reference list at the end of this paper for information on speakers, locations and dates of presentations and copies of Codes of Ethics from around the country. PROFESSIONALISM has been talked about for a long time and we need to step up and do something more than talking.

In 1960, the late Curtis M. Brown speaking before the MLSA convention at the Lafayette Country Club presented a paper on "THE PROFESSIONAL STATUS OF LAND SURVEYORS". The main theme of his paper was to attain professional stature the land surveyor must be better educated and establish a fee base dependent upon knowledge. Four (4) years later at the 1964 MLSA convention a paper was presented by Walter S. Dix entitled "THE AMERICAN LAND SURVEYOR and HIS PROFESSION". The theme of Mr. Dix's paper was support education and to maintain contact with the technology of the upcoming years. In 1946 ACSM adopted a document entitled "Equitable Fees for Property Surveys" and a "Statement of Principles" with a "Code of Ethics for Professional Practitioners". Some of our members have spoken on

We all benefit in having a Code of Ethics because this creates a stronger framework for the society as well as individually. We must work together in a spirit of harmony to improve our image if we want to be recognized as professionals. You can not do it on your own and I can not do it on my own. We must work together and create an image that others will recognize and proclaim us as professionals. Hopefully everyone will take the information presented to heart and work toward an improved image for all of the surveying profession.

There has always been a debate as to where the story of humankind began. Recent archaeological discoveries tend to point toward Africa about three (3) billion years ago. Odds are that even these revelations are not final. However using this data we can say that humankind may be two-thirds as old as this earth. Whether or not this data is even reasonably accurate we can say for certain that what we now call "Human" did not start as a fully developed social beast by any stretch of the imagination. There are, however, factors we have to accept from the evidence of history. First, the creature we now call "Human" was intelligent, extremely so, if we compare a human to intelligent animals of today. A human is smarter than the horse, as we know it, for a human could not run as fast as a horse to escape danger, yet the human survived. A human was not armed
with four (4) legs nor the canine teeth of the wild dog to pursue and run food to the ground, then tear it apart and devour it, as the canine of today can, yet the human survived. The human did not have the size or the strength of the mammoth, nor was the human herbivorous and able to exist only on succulent plants, grasses, fruits and nuts, yet the human survived. - and now dominates the world! The fact of the human's ability to survive as the dominant creature of this world really needs no explanation. Our mere existence is living proof of that tenacious reality. What can be called the 'Odyssey of Man' is not the result of billions of years of lucky circumstances, but rather the proof of the inmate intelligence of a human and ability of a human to specialize and meet the needs for a human's tomorrows.

What I am saying is simply - The human survived to become the dominant creature of this world because the human accepted the fact of the need for the professional. Yes, the professional above any other single element of the complex matrix in which we now live and call civilization, was and is singly responsible for the continued existence of humankind as we know it. A quick, and I feel a satisfactory definition of a professional is - "A person of skills above and beyond the ordinary, obtained by specialized education and training and used as a means of support of self and of service to fellow human being" to this, I am sure you can all agree.

A professional then is a person with skills, knowledge
and training above and beyond the average person. Professionalism is defined as the standing, practice or methods of the professional.

Professional stature can not be attained by self proclamation. The lazy say, give me the prize without the training, the wages without work, the reward without the quest, heaven without probation, a profession's prestige without a profession's skill. If the land surveyor is to have professional standing, that standing must be earned and bestowed upon the human by others.

You and I know and believe that land surveying is a profession, but whether it is a profession or not is not our privilege to proclaim; others are the judge. The opinion of learned humans and the opinion of the public is the proof.

Fortunately for the world, professional stature is something that must be earned, not merely claimed. If it were otherwise, everyone would soon lay claim to a higher standing, whether qualified or not.

It is obvious that in a broad sense "profession" includes many fields such as college professors, engineers, professional boxers, professional football players and many other professional athletes and surveyors, all in varying degrees of qualifications. In a narrow sense there are only three (3) professions, the learned professions of theology (ministers, preachers and members of the clergy who proclaim God's word), law (attorneys and the legal profession) and medicine (doctors and health
Without doubt, land surveying to me is a profession; my only question is one of classification of standing. I am not so naive as to believe that we, at the present time and in the opinion of others; are anywhere near equal stature with the three learned professions, but I do believe that by sustained effort we can approach and achieve a standing comparable to the three learned professions.

Most surveyors have sufficient ego to want to measure up to the three learned professions rather than to measure down to those of doubtful standing whose only claim to fame may be by self proclamation. If the surveyor is to compare with the three learned professions, they must approach the attributes of these professions and some of these attributes are:

1. Superior education in a field of knowledge.
2. Service to the public.
3. The possibility of gaining highest eminence without necessarily earning much money.
4. Providing services to those unable to pay.
5. Independent judgement and liability as a result of that judgement.
6. Ethics or moral fortitude.
7. If fees are charged those able to pay, fees are dependent upon knowledge rather than labor or product.

Without question, superior education in a field of knowledge is an essential feature of a profession, and there is little
question but that a good professional land surveyor should have superior knowledge in a specialized field. Some individual land surveyors, by self effort or by formal training in college, are well educated, but as compared to the learned professions, are surveyors required to know an equivalent amount of knowledge? How many licensed professional land surveyors have the benefit of a college degree as compared to the doctors, attorneys and clergy? Proof of the simplicity of our knowledge requirements can be had by looking at the past surveyor examinations administered in many states. In a number of states no license in needed; in other states the examination was so simplified that even an elementary student could do well in taking the test. It is no wonder many people look at our profession with skepticism. The standing of all surveyors as a professional group will suffer unless we as a whole raise our requirements. Experience is never a complete substitute for education. It increases education, but it can never supplant education. Education, of course, can be attained either formally at a college or self taught at home. Which ever way it must be gained is no reason for allowing a professional surveyor to be licensed without superior knowledge. Without superior knowledge, we have an inferior profession.

A person's knowledge in itself does not make a profession; they must use knowledge to aid, assist, teach or benefit others. Application of knowledge to the affairs of others is an essential part of the definition of a profession. To be a professional
we must be proclaimed such by others.

The process of acquiring knowledge and the process of application of knowledge are distinctly different. Parrots can memorize a vocabulary of sorts, but who has ever observed a parrot with the ability to tell another of its needs? The knowledge and experience of a professional person combined with their ability to reason and arrive at a solution to a problem is why others seek their advise. The success or failure of each of us is, in a measure, due to our reasoning ability.

In the learned professions, the professional person has a call of duty beyond that of a fee. The doctors are obligated to serve the sick regardless of ability to pay; the clergy do not turn away those in trouble; the attorneys defend the criminal. However, it is noted that the doctors and the attorneys do charge a fee and those able to pay, must pay. This is as it ought to be.

The land surveyor does not display this type of obligation. It is doubtful if many surveyors would willingly serve those incapable of paying the required fee. Land surveying is not an urgent necessity; if it is not done today, it can be done tomorrow. If a person cannot pay today, their survey can wait until tomorrow. Attorneys more or less adopt this attitude for services in connection with business matters.

The surveyor does have moral obligations to the public and among them is our duty to never subtract from the rights of adjoiners. Every boundary survey for a client establishes
the boundary of an adjoiner. One of the reasons for giving
surveyors the exclusive privilege of marking boundaries is to
prevent the unskilled from monumenting lines that encroach on
the bonafide rights of others. As an obligation to the public
the surveyor should not, in any way, assist a client in acquiring
rights to land that are not his to enjoy.

Any surveyor can attain eminence without necessarily earning
much money? In your own area, what do surveyors and the public
think of you? Do they consider you ethical or do they consider
you immoral? Do they seek you out for advise? Have you
contributed anything to the surveying profession, or do you
just sit back and let others advance the profession? Is earning
a dollar by any means more important than maintaining a
principle? Will you sell your signature? Do you avoid following
the law to obtain what you want? Do you aid others in evading
the licensing act? Do you falsify your re-licensure continuing
education credits only to get your license? Do you degrade your
fellow land surveyors? Have you actively pushed the cause of
all surveyors or do you selfishly only look out for yourself?
Are you active in your professional society? Have you had
articles published in a professional surveyor's magazine? Do
you serve on an MSSP Committee or on a public committee in your
community? Or do you just sit back on your laurels and wait
for someone to raise the question and you get the benefit of
their request? One of the first duties of a professional person
is to advance their profession. I pose these questions to serve
as an evaluation of yourself and your service to others in a professional way. It is only by the concerted effort of all, that we, as a group will advance to an unquestioned professional stature. In every community we find those that are substandard and those that have attained eminence. Which are you?

Attorneys and doctors charge a fee which is non-dependent upon the physical labor or force applied. Personal knowledge gained through education and experience creates the demand for the service rather than the size of the muscle on the arm. Contracting is for business people actively competing on the basis of the lowest cost or the lowest bid. The moment services are based upon the lowest price, a profession has reduced itself to a business. Services based upon superior knowledge is the foundation of the fee for professionals. Are you a member of a profession, or are you a business person? Many individuals in the matter of charging fees have attained professional standing. From the comments I have heard in various setting, I can only assume that, on the average, as a group, we surveyors have not attained professional stature in the matter of charging fees.

Money, in itself, does not enter into the definition of a profession, but it does have a profound influence on what others think of a profession. A group that shows by their outward appearances that they are not successful in handling their own financial affairs, can hardly instill confidence in the public. A person who uses antiquated equipment and the back room of
their house as an office is not likely to contribute to professional standing. Success breeds success. Outward appearances do make a difference. It is a part of the overall picture.

Ethics is that branch of moral science which treats of the duties which a member of a profession owes to the public, to their professional brethren and to their client. Without ethics land surveying can never be a profession.

Everyone is familiar with the fact that an individual may strictly observe the laws of the land and yet be an undesirable citizen and a poor neighbor. Lord Moulton in an article in the Atlantic Monthly on January 13, 1924, stated "The real greatness of a nation, its true civilization, is measured by the extent of Obedience to the Unenforceable". Ethics are often unenforceable. True professional stature arises from the obedience to the unenforceable.

Advocating observance of ethics is not sufficient; the surveyor's personal example is far more important. It is not sufficient that the surveyor alone feels that they have honesty and integrity; the public, the clients and fellow practitioners must also believe so. The proof of observance of ethics lies in the opinion of others.

If we as surveyors are to maintain a respected position as a profession in the community, we must look beyond the club of the law to ethical standards which prohibit the doing of that which the law does not forbid.
What is the present professional status of a particular surveyor or all land surveyors can only be answered by examining what others think of us. And what others think of us varies considerably depending upon which group or individual you ask. The opinion of the courts is distinctly at contrast with the educators. The layman's opinion is different from that of a non-surveyor.

Courts, in response to liability litigation, have taken a positive stand on the status of all land surveyors. In the eyes of the law the land surveyor is treated with professional respect, they have all the liability accorded a professional person. While from the viewpoint of the pocketbook, this privilege of liability does have disadvantages, it is proof, in a backhanded way, that the land surveyor is above the technician level.

The word privilege of liability was used advisedly. Human nature, being what it is, always offers a temptation to meet competition by doing a poorer job for less money, but professional liability is independent of the fee. A person agreeing to do a poorer job for less money carries identical liability to that of a person doing a better job for more money. This is as it ought to be. Granted, a larger company in today's society becomes more liable because they have more insurance coverage and are more apt to be brought into a damage claim.

As Professional people, in the eyes of the court, we must exercise that degree of care that a skilled surveyor of ordinary
prudence would exercise under similar circumstances. An instance of the land surveyor feeling the sting of financial responsibilities for failure to do adequate work. A surveyor buys an adjoining lot after it was discovered that the lot was marked wrong in accordance with a city map that happened to have the lots numbered erroneously. The courts ruled that they should have looked at the original map and not a city map.

A surveyor located pilings three (3) feet out of position. The surveyor paid for new piling in a corrected position. Unfortunately, the surveyor is often forever liable since the statute of limitation does not commence until the discovery of the error.

Since we as surveyors are liable, one of the greatest deterrents to sub-standard work is liability. While liability to the individual may be considered a disadvantage, it is an advantage to a profession as a whole. Without liability, I fear that those willing to do poorer work for less money would very quickly ruin the professional standing of all land surveyors. Professional liability is a privilege tending to prove the land surveyors professional standing.

The courts say that we as a group are professional persons, but this is not proof that everyone thinks that each of us are, nor is it proof that we are looked upon with equal standing to the learned professions. If we are to enjoy the standing and dignity afforded professional persons, others must know and act like we are professionals. We must have the knowledge and act like professional persons. Education is a key to proving
that we are to be considered as professionals. I am afraid that many people consider the surveying profession as sub-professional.

As a whole, and without question, we are not nearly as well educated as is required of the learned professions. We are usually the low person on the totem pole with respect to engineering. Engineering professors generally are more than likely going to refer to the surveyor as a technician or sub-professional, requiring a small amount of specialized education that can be acquired by the apprentice system. As proof of this we need only glance at the college engineering curriculum. Surveying on the average has been reduced to nothing more than a few hours of fragmentary instructions covering limited phases of surveying and fewer and fewer institutions are retaining surveying programs.

Within land surveying practice there are many grades of workers. One of our failures is to properly distinguish between the draftsperson, the technician and a professional person. On a construction project the engineer in charge has surveyors who make measurements to determine the location of features on the ground as they were designed and put on the plan. The surveyor must have special skills and ability to run the instruments and make the measurements, but this is of a technical nature. To the average person the surveyor is the technician who carries out the orders of the engineer. Often it is overlooked that there is a PROFESSIONAL LAND SURVEYORS level.
Perhaps one of the greatest attributes of a successful practitioner is measured by how well he gets along with others. Knowledge alone does not make the professional person. They must have knowledge and use that knowledge in guiding, teaching or instructing others and their success in this depends upon how well they can influence others. We have all seen those who have superior knowledge, but who are belligerent, contrary, unyielding and never wrong. We have all seen those that display a fiery impulse of an infuriated class and those that have the backbone of a wet noodle. Such persons seldom succeed as professionals. Often such persons fail to understand why they can not get business and as a final desperate effort they assume that price is the reason and resort to trying to get business by the non-professional means of being the lowest bidder.

The problem of varying ability is common to all professions. Some doctors have good public relations, while others have very poor public relations. This does not prove why one profession is superior to another, but it merely explains why some individuals attain greater success than others. To a certain extent all professions are judged by how each individual member gets along with others.

There is no doubt in my mind that land surveying is entitled to professional status of some sort within the broader meaning of the term. The courts have indicated that by their decisions, but there is no doubt that we, on the average, do not measure up to the three learned professions or for that matter to any
of the other better professions.

In the minds of most surveyors there is no question, but what they would like to be looked upon with the same respect, dignity and standing of the doctor, the lawyer or the clergy. No short cut to gaining this prestige exists; it must be earned, and as of yet we have not earned it. Land surveying can be a profession approaching the level of the learned professions and whether we wish it to be so or not is ours to decide by group behavior - that is action, not wishful thinking.

Education and knowledge can never be purchased; each person must acquire it by their own efforts and then work together as a team. All the money in the world will not cram knowledge in the heads of those unwilling to learn. It must be recognized also that all education is not acquired in colleges, but they are the major source of education. I realize that experience is a great teacher. Often experience teaches one more than one could every learn in the academic atmosphere because the person is in a learning mood or at an age or setting where they are ready to learn.

An essential part of the definition of a profession is service to others, that is knowledge is used to aid and assist your fellow neighbor. If we are a profession, should we not have free exchange of information between ourselves? How many secretly hoard survey evidence and refuse to allow fellow practitioners the privilege of knowing what formerly existed? Are we a business in this matter or are we a profession? There
are two (2) lakes in California, one is fresh and full of fish. Trees spread their branches over it and children play along its shores. A river flows into this lake and out into a second lake. Here in the second lake there are no fish and no children's laughter. Travelers choose other routes. Neither people, beasts or fowl will drink of its water. There is a difference between the two (2) lakes. The first lake receives fresh mountain water. For every drop that flows in another drop flows out. The other lake is very shrewd, every drop it gets it keeps. The first lake receives and gives, the second lake receives, does not give and is dead. Are we going to be like the first lake and receive and give information, or are we going to be like the second lake and jealously hoard all professional information and not share with others?

Among the many things that would elevate the surveyor to higher stature, perhaps the most important, is the word "agreement". All of us have heard the complaint and it is a notorious fact that no two (2) surveyors are in agreement on the position of a corner. Differences between surveyors is a cause of degradation. We prove by our own survey monuments that we are incompetent, since we can not all arrive at the same location using the same written description.

If we are to attain professional stature we must establish a fee base that is commensurate with that of other professionals. We hear the story about the surveyor who lowered his rates because their were other surveyors in the area who were charging
lower rates. I believe that a very positive way of proving professional stature is to charge rates based on the degree of ability and intelligence necessary to accomplish the task. We should never be embarrassed by the rates that we charge. In the case of a boundary dispute, the surveyor obtains all of the field data, prepares the map and presents the information to the lawyer. Based on the information, or lack of information and upon the advice from the surveyor, the lawyer arrives at a decision regarding the location of the boundary to advise the client about their property. Who made the decision, the lawyer or the surveyor. I believe it was the decision of the lawyer based upon the expert advice presented by an experienced PROFESSIONAL LAND SURVEYOR.

The surveyors struggle with the fact that they have trouble showing a profit and at the same time lowers the rate that is being charged to catch down with lower priced surveyors. Yes, I said to catch down to the lower priced surveyors. We hear about the lawyer that charges $300.00 or more per hour for their services as a professional and finding out that their peers are charging much higher rates increases their rates to catch up with the other persons in the profession. Why are we, as surveyors so backward? How many in this room charge between $150.00 to $350.00 an hour for their professional advice? Are we afraid that our advice is not worth something more than that of a technician? I think not. You should not be ashamed of charging for good advice, if you believe you are correct.
In closing I believe that any single land surveyor can attain outstanding eminence as a PROFESSIONAL LAND SURVEYOR. Of necessity their knowledge would have to be broad to include an intimate acquaintance with such fields as computers, geodesy, cartography, photogrammetry and real estate land law. Their only limitations would be their own desires and their own ability to push their knowledge, their behavior, their conduct and their ethics to the forefront. A good professional person can not be a recluse. One of the essential definitions of a professional person is that they serve the public and serve them well.

I have chosen the land surveying profession because I enjoy it and am proud of it. Although our office does many engineering projects, I never infer or imply that I am an engineer in any way. I know that we as PROFESSIONAL LAND SURVEYORS should have professional standing, but also realize that we have not acquired the standing we ought to have. Hopefully the St. Cloud Program can have an impact on our ability to improve our professional stature.

I started out with a thought and wish to close with the same thought. Professional stature is not gained by self proclamation. Professional stature must be earned and can only be measured by what others think of us. If you want to find out whether you are a professional person, you must ask what others think of you. Don't ask yourself.

If you want to be a professional person or a PROFESSIONAL LAND SURVEYOR, you must go out and earn it.
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