

# **Mobility Contested: Ethical Challenges for Planners, Administrators and Policy Analysts**

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What ethical dilemmas do public policy analysts, planners, and public administrators face in “policy communities” or “issue networks” that are politically polarized between two or more “advocacy coalitions” which take diametrically opposed positions on issues? Are the ethical problems more serious when one side in the debate bases its policy recommendations on moralistic claims of fostering the public interest, enlightened inter-generational stewardship, and saving the planet, while the other side makes its case on market efficiency, majority rule, and freedom of consumer choice? Should public employees adopt a self-censoring neutrality and strictly follow the lead of elected officials and their bureaucratic superiors? Should they try to act as much possible on their own values and conscience, which may be influenced by ideas about a higher morality?

There have been classic conflicts of duty and ethics among public servants that echoed through centuries of religious turmoil, nationalist conflict, and revolutionary struggle, from Thomas Moore to Claus von Stauffenberg. The policy battles of the 21<sup>st</sup> century are, thankfully, much less bloody. The personal consequences to civil servants for advocating and acting on one’s principles no longer involve burning at the stake or a firing squad. But this may make it more likely that public employees will be tempted to follow their own conscience rather than some rule of duty or neutrality. Thus the question is one that is likely to grow in importance and gain in frequency. This paper considers one such occasion for ethical analysis in the case of the debate over the desirability of

redefining mobility and radically restricting the role of auto-mobility in surface transportation.

### **Advocacy Coalition Politics**

According to political scientists Paul Sabatier and Hank C. Jenkins-Smith, the debate over policy change in many policy communities and in America is increasingly dominated by “advocacy coalitions.” Unlike an ordinary interest group, an advocacy coalition unites “... actors from a variety of public and private institutions at all levels of government who share a set of basic beliefs ... and who seek to manipulate the rules, budgets, and personnel of governmental institutions in order to achieve [their] goals over time.” (Sabatier, P. and Jenkins-Smith, H., 1993; 5) Advocacy coalitions are patient; they seek goals that will take a decade or longer to achieve. Ideas and values, not interests, are the glue that holds advocacy coalitions together. This means that, although there is no single, centralized organization that speaks for the whole coalition, the leadership of the many independent groups that come together in the coalition tends to be dominated by true believers. As they develop arguments to make to legislators, executive officials, and the general public, groups in advocacy coalitions tend to “resist information suggesting that their basic beliefs may be invalid or unattainable and they will use formal policy analyses primarily to buttress and elaborate those beliefs (or attack their opponents views.)” (Sabatier, P. and Jenkins-Smith, H., 1993; 9) This style of politics can come to resemble a crusade in which like-minded advocates, some of whom are public servants working inside the bureaucracy, become convinced that they should do whatever they can to further the cause. Whether the policy community involves health care, the

environment, or national security, advocacy coalition politics confronts professional public administrators with subtle ethical temptations on how to select and interpret data, on what policy solutions to design and recommend, and on how to portray groups that disagree with them on issues they care passionately about.

Policy debate in the surface transportation policy community has become polarized over what to do about the negative externalities of mass auto-mobility (air pollution, energy consumption, greenhouse gas emissions, etc.) The 1960s and 1970s were years which saw a much-needed consciousness-raising about the problems created by the automobile. Vociferous critics the “car culture” formulated their views in language akin to the Old Testament prophets. Their vision of the crass materialism and selfish individualism that the automobile embodied required them to condemn the *Insolent Chariots* (Keats, J., 1958) that were leading the country down the *Road to Ruin*. (Mowbray, A., 1969) The final battle was approaching. It would be *Autokind v. Mankind*. (Schneider, K., 1971) Only through repentance could American move *Beyond the Automobile*. (Stone, T., 1971) By the 1990s, this negative view of auto-mobility had been institutionalized in an advocacy coalition that I call the “anti-auto vanguard.” This vanguard of enemies of the automobile rejects the conventional idea that the automobile-highway system is a hugely successful means of personal mobility with serious but manageable negative side effects. Rather, it sees the auto as an out-of-control cancer on the planet whose very existence now amounts to an “evil” which must be severely restricted. The vanguard sees it as their moral duty to implement as much of their anti-auto agenda as they can. In the U.S., the cutting edge of anti-auto thinking is found

among environmentalists, social critics, urban planners, and proponents of public transportation. (Dunn, J.,1998)

In a democracy, the dilemma is how to reconcile the strong desire hundreds of millions of citizen/motorists have for the individual empowerment that cars provide with a small but intense and very active minority's strongly-held belief that, for the common good, people need to be discouraged, even prevented, from choosing auto-mobility. In this paper I identify some examples how intense moral engagement can play a role in distorting "rational" decision making within the policy process. I show how an examination of the ethical issues in a relatively strait forward and information-rich policy sector like surface transportation can illuminate issues in more complex policy areas that experience similar polarization between advocacy coalitions.

### **Planning Bias: A Desire Named Streetcar**

In recommending a choice among public investments in transportations projects ranging from a highway improvement to a rail transit system, do the anti-auto beliefs make planners more likely to overestimate the number of future transit riders and underestimate the costs of constructing the transit system A substantial amount of evidence has accumulated that this kind of pro- rail project error is widespread in transportation project planning. Is there an ethical transgression that must be ascribed to public employees who participate in a process which deliberately overstates the benefits and underestimates the costs of transportation choices? Is this persistent skewing of data in planning studies simply bureaucratic politics as usual or does it constitute a rather

specific type of ethical lapse provoked and legitimized by the moral certitude inherent in the anti-auto vanguard position?

There is little doubt that the bias in major investment studies of transit alternatives always falls on the side of the more expensive rail systems. Don H. Pickrell, an employee of the U.S. Department of Transportation's Volpe National Transportation Systems Center (a respected and highly professional in-house "think tank" in Cambridge, Massachusetts), examined eight urban rail projects that were proposed and built in the 1970s and 1980s. (Pickrell, 1992) He compared the planning forecasts that had been submitted to the DOT as part of the applications for federal subsidies to the performance results reported routinely after the projects had been completed. In only one case, the Washington DC Metro, did ridership amount to even half of what had been forecast. Total capital costs overruns ranged from a low of 17 percent in Sacramento, CA to a high of 150 percent in Washington, DC. Consequently, the cost per passenger transported was two to five times higher than planners had predicted. Other authors studied different individual projects and found similar flaws which all erred on the side of overestimating ridership and underestimating costs. (Kain, 1990; Moore, 1993)

If Pickrell had simply reported his findings about the discrepancy in the before-and-after numbers, he might have avoided the subsequent trouble he found himself in with his superiors. But he went on to examine the political and bureaucratic factors that he believed may have led to the systematic overestimation of ridership and underestimation of costs. He suggested that local elected officials get committed to a project and communicate this commitment to their planning staffs. The planners, in turn, produce favorable numbers in order to have a better chance to compete for limited federal

subsidy dollars. They organize public hearings and public relations campaigns in which pro-transit groups and anti-auto groups are mobilized to show public demand for the projects. If federal officials are still skeptical, local leaders can often rely on their congressional delegation's political influence to legislatively "earmark" the funds for the new projects. It is a process in which mayors, planning staffs, transit officials, transit unions, and construction firms essentially conspired to have the federal government finance their "Desire Named Streetcar."

Pickrell's publication was too much for another part of the Department of Transportation., the Federal Transit Agency, whose leaders felt he was impugning their project selection procedure, if not their honesty. They arranged to have him transferred to another section in the Volpe Center with the understanding that he would not return to anything having to do with public transit. Such are the rewards of speaking truth to power.

Pickrell examined projects from the 1970s and 1980s. Have federal transit officials and federal legislators learned enough to change the system? Apparently not. There is evidence that the same kind of deliberate planning bias that Pickrell found is still taking place today. For example, The University of California Transportation Center recently analyzed the range of choices in a major investment study of transportation options for San Francisco. They found that "the more capital intensive surface/subway light rail options [the preferred choice of the San Francisco Municipal Railway] ... tend to be less efficient and effective but would generate more federal financial support, than other less capital-intensive options ..." They also find that "federal financial incentives could lead to inefficient investment decisions." They recommend that future federal

transit policy should focus “on offering rewards to transit operators that provide high-quality transit services to passengers at low costs,” rather than being structured as a competition for project funding. (Li and Wachs, 2004: 62-63)

Of course, one could argue that this is more a question of bureaucratic strategy and pork barrel politics than an instance of an ethical deficiency in public transit planners and administrators. One can point to chronic cost overruns in many other types of major government purchases. For example: *The New York Times* recently reported that the U.S. Navy’s next generation destroyer, the so-called DD(X), has seen its cost skyrocket exponentially. It quoted the Assistant Secretary in charge of new weapons purchasing as saying that Navy officials had knowingly “underestimated the price” of the DD(X) destroyer program. “There’s a motivation ... to birth programs ... people tend to underestimate their costs.” (Weiner: 2005) But the fact that there are institutional pressures pushing in the same direction as strongly held beliefs does not mean that the beliefs are negligible factors. There is little doubt that the Navy officers and civilian employees in the Pentagon’s weapons program are morally certain of the vital importance of national defense and of the need for a new destroyer to support that goal. Anti-war values are as rare in the Pentagon as anti-transit views are among urban planners and transit agency officials.

### **Ethics as Honesty in Argument**

Beyond the question of estimating costs and benefits of specific projects, the sense of a moral imperative and higher mission can lead to other distortions in the policy debate. These distortions are undesirable in general and can be undemocratic when they

are reinforced and legitimized by professional public employees. Thirty years ago the German-born, American-educated philosopher Walter Kaufmann offered a deceptively simple definition of intellectual honesty:

High standards of honesty mean that one has a conscience about what one says and what one believes. They mean that one takes some trouble to determine what speaks for and against a view, what the alternatives are, what speaks for and against each, and what alternatives are preferable on these grounds ... this is the meaning of intellectual integrity. (Kaufmann, 1973; 178)

Kaufmann also illustrated his point by referring to the bible story of how King Solomon solved a dispute between two women who claimed the same baby as their child. When the King drew his sword and offered to give half of the child to each woman, the real mother refused his offer in order to spare the baby's life. "What made his judgment so remarkable was that *he managed to get at the facts.*" (Kaufmann, 1973; 4 italics added)

Getting at the facts in a dispute is never easy. All the more so when each side is committed to its own version of the facts and works to undercut the other side's. The "skeptical environmentalist," Danish statistician and political scientist Bjørn Lomborg, created quite a stir when he set out to measure "the true state of the world," i.e., the current trends in the environment. He found that environmental groups had constructed a "Litany," of constantly repeated and greatly exaggerated claims that the environment is rapidly deteriorating and racing toward catastrophe. Lomborg argued that this systematic distortion of the facts "makes us scared and it makes us more likely to spend our resources and attention solving phantom problems while ignoring real and pressing (possibly non-environmental) issues." (Lomborg, B., 2001; 5)

This distortion clearly takes place in the battles over the automobile in the U.S. surface transportation policy community. Some examples of distortion of the policy debate include:

1. *Overselling one's own side's policy preferences as a panacea for problems that it cannot solve.* For example, since the mid-1960s, large investments in public transit spending have been put forward as solutions to successive problems – traffic congestion, air pollution, energy consumption, urban sprawl, and global warming – without making any measurable difference in any of these problems.
2. *Overlooking problems in one's own side's policy preferences..* For example, public transit's preference for rail-based investments has long been known to provide much higher per rider subsidies to affluent suburban commuters than to lower income urban riders. (Altshuler, A., Womack, J. and Pucher, J., 1979) Even worse, in Los Angeles, litigation revealed that the heavy spending on constructing new subways and light rail lines was actually reducing the amount of bus service available to inner city racial and ethnic minority groups. (Simon, R., 1996)
3. *Opposing reasonable policy proposals from the "other" side.* If the automobile is "evil," anything which fosters more auto travel must be stopped. In debates over adding more lanes to congested highways, many vanguard-oriented planners and transit advocates oppose new highway capacity with the slogan "we can't build our way out of

highway congestion.” This is a half-truth at best. Sometimes adding well-planned new lanes can reduce congestion. Doing nothing guarantees congestion will get worse. And building new rail lines will do even less to relieve congestion (Downs, A., 2004) Clearly, opposition to new highways does not always succeed. But dogged opposition pursued through many levels of public hearing, local referenda and law suits has produced prolonged delays and higher costs, thereby reducing the total amount of funding available for all transportation investments, indeed, for public investments of every kind.

4. *Over-dramatizing the political power and financial resources of the “other” side and understating the power and resources of one’s own side.* Having begun as an insurgent movement against the powerful “road gang” of auto, petroleum, highway interests, transit supporters still “poor mouth” their own situation in making pleas for even more public spending on transit. But the facts do not support this image. Spending on public transportation by federal, state and local governments averaged about 25 percent of all public expenditures for surface transportation throughout the 1980s and 1990s. Compare this 25 percent share of spending to the fact that public transit accounted for just slightly more than 1 percent of all surface transportation passenger miles in the country. (Dunn, J., 1998; 108)

## **Trans-Atlantic Contrasts and Commonalities**

The message of the anti-auto vanguard is closer to the mainstream thinking among transport professionals and policy makers in Europe than in America. Indeed, from an American perspective, it appears that the vanguard's entire agenda has been adopted in Europe. Taxes on automobiles and on motor fuels are much higher in Europe than in the U.S., and have been from the very beginning of the auto age. In 1907 Herbert Asquith, British Chancellor of the Exchequer, famously remarked that a new tax on private motorcars would be an "almost ideal tax, because it is a tax on a luxury which is apt to degenerate into a nuisance." (Plowden, 1971) Spending on public transportation is also much higher (although that has not prevented a steady decline in transit share of total travel as more and more Europeans acquired their own cars). Land use planning and transportation planning are better coordinated. Pedestrian zones, bike paths, traffic taming, car sharing and the like are all much more widespread and accepted in Europe. This is probably related to significant differences in geographical, historical, institutional, and ideological conditions on either side of the Atlantic. European nations are smaller. Their patterns of settlement are older, denser, and more "rooted." Left-wing parties and ideas have played a larger role in European politics. Public transit is a classic policy area which can appeal to socialists without being too threatening to conservatives. Public authorities acquired and began subsidizing railroads and public transit companies well before the onset of mass motorization in most European countries. (Dunn, J. 1981)

Despite the fact that European governments have enacted policies which would seem to fulfill the American anti-auto vanguard's most optimistic wishes, European opponents of the automobile are currently pushing even more taxes and restrictions. Two

German environmentalists recently trashed the data and methods of the Federal Transportation Ministry because its studies of the benefits of proposed new highway segments neglected “induced traffic.” This neglect means that “The basis of cost-benefit calculations is nonsense... Any measure that makes road traffic faster induces new traffic ... Therefore, the most important objective of environmentally-oriented traffic policy must be the de-acceleration of road traffic.” They go on to argue that “mass transportation can contribute to environmental protection only if ... paralleled by measures to de-accelerate motorized traffic.” (Pfleiderer and Dietrich, 2003; 148-149)

Meyer Hillman, a British environmentalist and transport reformer goes several steps beyond “de-acceleration” of road traffic. Noting that the IPCC has called for a 60-80 percent reduction in carbon dioxide emissions to stabilize the world’s climate, he calculates that Western European countries must reduce their per capita CO<sub>2</sub> emissions by 90 percent. “With the moral imperative as stewards of the planet to modify people’s lifestyles to meet this objective ... car travel must be reduced.” Nothing very surprising there. But his next recommendation is rather an innovation among enemies of the automobile: he does not come out in favor of more investment in public transportation. Rather he believes that the solution is to provide “first for safe and convenient pedestrian networks for short journeys; second for safe and attractive cycle networks for other urban journeys.” While he wants to get people out of their cars, he does not want to put them on public transit. The non-motorized modes of walking and cycling are far more environmentally friendly, more healthy, and “by far the most cost effective.” Hillman, 2003; 144)

One part of the agenda of the European anti-auto vanguard that is much stronger than in the U.S. is what might be called “communitarian socialism.” This can be seen very clearly in their prescriptions for urban transport in third world countries. Their fervor is not just for the environment, but also for egalitarian redistribution:

Do we dare create a transport system that gives priority to the needs of the poor majority rather than the automobile-owning minority? Are we trying to find the most efficient, economical way to move a city’s population ... or are we just trying to minimize traffic jams for the upper classes? ... Let’s imagine a city [where] car use is banned during six peak hours ... All citizens, regardless of socioeconomic standing, meet as equals on trains, buses, or bicycles ... such a city would become a world example of sustainability, quality of life, social justice and social integration. (Penalosa, E., 2003; xxv)

### **The Obligation to Discount Good Intentions**

Americans have had many unhappy experiences with policies made with the best of intentions and defended with arguments of high moral righteousness. All too often these policies are labeled as a “war” on something: poverty, drugs, crime, terrorism, etc. One common denominator of these crusades is their propensity to ignore inconvenient but important facts about the causes of the problem which they promise to solve. They also tend to ignore feedback about poor program performance, the escalating costs of failing policies, and their unintended negative consequences. In addition to these generic moral “wars,” there is now an important and specifically religious element in many policy disputes. Abortion, school prayer, school vouchers, stem cell research, federal subsidies to faith-based social welfare groups are all issues which polarize people into advocacy coalitions divided along lines defined by intensity of religious belief, frequency of religious practice, and theological certainty of righteousness.

Europeans have gone from being bemused to being frightened by the rise of religious rhetoric in American politics. But both Europeans and Americans on the secular and left-liberal side should realize they are not immune to the same temptations of smugness and moral superiority. They too can get carried away by a cause - global warming, deep environmentalism, anti-globalization, genetically modified food, animal rights, anti-automobiles - that can lead to the same disregard of inconvenient facts and the same dismissal of the integrity of opponents. For example, many serious drawbacks in the Kyoto approach to climate change have been pointed out, not just by global warming skeptics and polluters, but by confirmed environmentalists. (Barret, S., 2004. Lane, L., 2004) If they are right that Kyoto is the wrong approach to climate change, it risks being turned into a mere symbol of well-meaning multilateralism rather like expensive rail transit projects in America are symbols of well-meaning but ineffectual efforts to grapple with the negative externalities of the automobile.

Good intentions and high morals are not enough to ensure good policies. Responsible public administrators and policy analysts have an ethical obligation to critically examine the assumptions behind their preferred programs, to continually and carefully consider the arguments and the data that are raised by the program's critics, and to be ready to use their expertise to revise or replace such programs when the facts warrant it. In developing policies to reduce the negative externalities of the automobile in democratic nations with widespread auto ownership, they should consider the principle that mechanical engineering is almost always easier and more cost effective than social engineering. In other words, it is easier to take the pollution out of automobiles than to take the people out of automobiles.

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