

The Avery Review

**And Now:  
Architecture  
Against a  
Developer  
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Essays on the Occasion  
of Trump's Inauguration

Columbia Books on Architecture and the City

**A RESPONSE  
TO AIA VALUES**

**Peggy Deamer, Keefer Dunn,  
and Manuel Shvartzberg Carrió  
on behalf of The Architecture Lobby**

Since the embarrassing statement sent out by Robert Ivy for the AIA on November 9, 2016, in support of Trump and the president's infrastructure policies, the AIA has issued backpedaling comments that emphasize their commitment to the values that President Trump undermines every day. Their position in the two apologies, in their "Equity, Diversity, and Inclusion" statement, and in their most recent "Where Architects Stand: A Statement of Our Values," emphasizes the support of "equity and human rights," sustainability, community strengthening, economic security, and diversity. How are we to interpret this change of executive opinion? The answer is not that it is an about-face but an exposure of a series of tensions inherent in our professional organization, tensions that stymie the AIA's coherence and leadership.

The first tension involves who the organization speaks for. Large firms or small firms? Regional or national? Owners or staff? The goals of each of these are different, and the difficulty of finding common ground has much to do with AIA's ineffectuality. The

larger firms want the AIA to concentrate on contracts emphasizing technological changes that affect efficiency and future production; the small firms want the AIA to concentrate on traditional owner, architect, contractor contracts; HR structures; and business development. Competition for government projects has been fiercer since 2012, when rules increased the total worth of businesses that could qualify as "small" under the Small Business Administration. Regional components want the AIA to advocate not only for their local professional issues but the political temperature of their district—temperatures that are as diverse as the red and blue state voting patterns (sixty-two out of the top hundred US architecture firms are headquartered in noncoastal states; fifty-two are in states that voted for Trump). Firm owners want to profit from their fees while staff want those fees to go toward higher wages and more benefits. The lack of homogeneity reduces the AIA to a brand protection agency since all players can agree on basically only one thing: the AIA should show the world that architecture is a worthy endeavor.<sup>1</sup>

But a close look at the AIA indicates something beyond fear of divisiveness: an inherent conservatism that aggressively adheres to the status quo, shies away from controversial positions, and privileges management over labor. Here are the statistics for AIA membership: firms with between one and nine employees represent 77.3 percent of AIA membership but represent 20.7 percent of the staff membership; those with between ten and forty-nine, 17.6 percent of AIA membership but 32.3 percent of staff membership; and those with fifty or more, 5.1 percent of AIA membership but 47 percent of staff membership. This means that the large firms, though underrepresented in firm totality, deliver the majority of staff membership. Given that most of these staff memberships are paid for by their firms, the AIA knows whom to pay attention to. The small firms, in the meantime, are the most vulnerable to changes

that might negatively affect their precarious profit margins. Small-firm owners have nothing to gain by pushing the AIA to debate *who* labors under *what* conditions, with *what* motivations, and with *what* fair access to support or promotion. Small-firm staff are proportionally underrepresented.

The connection between who does and does not have a voice in the AIA and the AIA's lack of principled idealism should not be overlooked; indeed, it is a problem that led to Ivy's pronouncement in the first place. For example, those members who agreed with the Architects/Designers/Planners for Social Responsibility's (ADPSR's) 2014 petition to the AIA to prohibit its members from designing execution chambers and spaces for solitary confinement weren't heard.<sup>2</sup> Nor would the AIA solicit its members via a poll to see whether the AIA should condemn the building of the border wall.<sup>3</sup>

Beyond this, management/labor concerns (which might actually change the dynamic of who has a voice in the AIA) are rarely discussed, obscured by the AIA's emphasis on technology and environmentalism, the two hegemonic narratives that supposedly prove architects are progressive and socially responsible. The recent set of proclamations that do attend to labor issues—the “Investing in the Future” declarations in the “Statement of Values” and “Where We Stand: Immigration and Visa Restrictions”—are belated responses to the outcry over Ivy's Trump endorsement.<sup>4</sup> Prior to this, the strongest directives were “Value Your Work” and the 2014 AIA Emerging Professionals Summit in Albuquerque. The first had the lowest possible bar: “It's very important for the emerging architects to get paid because it really puts a sense of value on what we do.” The second, which asked for a “repositioning” of the assigned value of those ten-years-out-or-less workers, resulted in the National Council of Architectural Registration Boards (NCARB) rescinding the label “intern,” with no change of

policy. Both of these campaigns, as well as the recent “Investing in the Future” (“a generation of young people is being held back by a lack of access to education and the crushing burden of student debt...”) also suffer from a naive evaluation of professional impediments, obscuring the fact that the median average wage for architects is \$76,000; compared to lawyers, \$133,500; and doctors, \$169,000 for family doctor to \$519,000 for a surgeon.<sup>5</sup> This is a bourgeois problem, and we are, in the larger economic scheme of things, privileged. But if we are speaking of payback for the cost of education, internship, and jumping through professional hoops, the result is distressing.<sup>6</sup> No wonder architecture struggles to attract and retain minorities with hard-won access to higher education. Either the AIA believes that there is no problem beyond that of the emerging professionals, or it does not know how to address this crucial issue in any direct way.

The second tension is similar to but different from the first. Who is the AIA speaking to? Its members or the public, our potential clients? Ideally, there is no problem in doing both, since satisfied clients make more work for architects, which makes for satisfied architects. But the double agenda produces AIA directives that ensure no advocacy specific to us professionals. Instead of just “we give you inspired design,” why not “we are more valuable, warrant more voice in building development, and deserve better pay than is currently acknowledged?” Client appeasement doesn't equal architectural advocacy. How often have we heard that the first thing that developers learn is the ease of driving down architects' fees? The client treats architectural services as a commodity; the architect does not.

At the same time, the-public-must-love-us campaigns serve as ideological masking—falsely convincing us architects that the clients' needs are really the same as ours. Take the “Look Up!” campaign, ostensibly meant to address the public: “To be an architect

is to look up. Even before we put pencil to paper, we are looking up, to... nature, to art, and to history, to pursue [something higher].”<sup>7</sup> “Look Up!” is not merely a (pathetic) way to convince the public that we are inspired, good, trustworthy, socially motivated, and environmentally sensitive, but it’s a message meant to convince us architects that the reasons we entered the profession—all these things—still hold true, contrary to all evidence. The reality is that the majority of website-sponsored messages put out by the AIA (“Don’t miss A’17, the event of the year”; “Justice Facilities Review Awards”; “Even with uncertainties looming, healthy gains projected for 2017 building activities”; “Architecture firms reported that their billings were essentially flat to start off 2017... But the future looks more positive overall... indicating that there is still plenty of new work in the pipeline”) are dictums meant to disguise architects’ systemic insecurity with images of bliss, honors, success, and meaningful work.<sup>8</sup>

Our final, and broadest, tension concerns the role of architecture within the neoliberal state. Practically and legally, the AIA can only promote the value architecture brings to society and cannot advocate for better remuneration for architects. This bind is not primarily the fault of the AIA, which was issued consent decrees on two occasions by the Department of Justice (DOJ) for breaking antitrust laws when discussing fee schedules.<sup>9</sup> The 1972 proceeding by the DOJ against the AIA was occasioned by the AIA’s suggested fee schedules and its prohibitions against discounting fees and competitive bidding. In the agreed-upon consent decree, the AIA had to amend its Standard of Ethical Practice and submit annually, over the next five years, a report detailing the steps taken to comply with the judgment.<sup>10</sup> The 1990 proceedings cited the president of the Chicago Chapter of the AIA for distributing documents in 1984 proposing a limit to competition based on fees. AIA National, held responsible for its components, was forced again

into a consent decree demanding a review of its Code of Ethics, a payment of \$50,000, and a guarantee that every component at every meeting for the next ten years view a video delineating anti-trust behavior.<sup>11</sup> The AIA operates under the fear of further anti-trust violations.<sup>12</sup>

But while these consent decrees legitimate the AIA’s timidity to advocate for architects, the directive of the antitrust laws—to guarantee competition in all forms of commerce—also works on architecture at a subliminal, ideological level that the AIA is happy to foster. The manner in which “competition at all cost” is absorbed into a profession already emphasizing aesthetic ego is relatively seamless; the psychological infiltration to “COMPETE” fits a profession susceptible to exclusionary modes of individuality and entrepreneurialism. Seventeen years after the end of the last AIA consent decree, the AIA is not only unwilling to broach the subject of fees and wages but has made internal competition of firms against one another a particular point of celebration. At the 2014 National Convention, speakers hawking their ability to charge lower fees for more services were put before the audience as keynotes offering positive examples for the profession.<sup>13</sup>

### **We Want Advocacy**

One longs for a professional organization that feels confident to argue for what is right, even if it offends those with the purse strings. This goes for unsafe-to-discuss social positions including and beyond prisons, border walls, issues such as poverty, homelessness, deforestation, job outsourcing, fracking, immigration. It includes advocating for issues affecting fair labor and access to the profession, in which case the AIA could follow the lead of the National Association of Law Placement (NALP), which collects data on law firms’ billable hours, gender equity, part-time and flex-time policies, parental and family accommodations, and professional

development (in addition to laying out principles of fair hiring and legal employment standards). Lawyers likewise are known for having agreed-upon salaries for associates, staying within the realm of legal “transparency” (vs. collusion) by merely revealing salaries that just happen to become standardized.<sup>14</sup> Here, use of the “3rd party survey” implicitly sets the mark that top law firms have to hit to attract the best and brightest employees.<sup>15,16</sup> One might also take the example of the Accreditation Council for Graduate Medical Education (ACGM) of which the American Medical Association (AMA) is a member, which, in a landmark decision, imposed restrictions on the number of hours residents can work (eighty hours per week, averaged over a four-week period; residents must also be given at least twenty-four consecutive hours off each week).

The AIA’s ability to work around antitrust laws is unlike that of medicine or law; there are real limits that are beyond the control of the AIA. Medicine escapes much antitrust review because it does not have a single constituent structure. Regulated by a number of levels of state and private operatives made more complicated by Medicare and Medicaid (which further require both state and private organizational involvement), medicine shields itself from direct antitrust attack “and provide(s) opportunities for... self-protective economic restraint and abuse.”<sup>17</sup> Lawyers, on the other hand, are essential to the primary governmental function of administering justice, and, having historically been “officers of the courts,” are less subject to antitrust law than managers of it.<sup>18</sup>

Antitrust laws ensure competition in all forms of trade; any regulations that compromise competition must be enacted through legislation that argues for a larger social good not provided by market competition. This is where the clout of a professional organization matters. And clout is a function of the numbers in the organization—the AMA has 217,500 members; the American Bar Association (ABA) approximately 400,000; and the AIA 89,000—as

well as the number of constituent voters that will motivate a legislator to champion or initiate a bill; there are approximately 1.1 million physicians, 1.3 million lawyers, and 225,400 architects. And if the real way to get the attention of the state professional boards is through lobbying, both medicine and law have enormous advantages over architecture. Between 1998 and 2016, the AMA spent \$20 million on lobbyists, second only to the American Chamber of Commerce; the ABA an average of \$1.12 million in the same period; and architects an average of \$300,000. Moreover, institutionally, where the AIA deals only with the protocols of professional behavior but not academic accreditation (NAAB) or licensure (NCARB), the ABA controls all three, and the AMA all but academic accreditation (AAMC). This means that both legal and medical fields have more influence with the state boards that govern professional policies and have the opportunity, for the sake of a thriving profession, to override antitrust laws.

In a meeting between two Architecture Lobby members and Robert Ivy in 2014, Ivy indicated the dilemma that the AIA was in with regard to lobbying, namely that elected officials, who introduce and support legislation, don’t have any incentive to attend to the minuscule number and nonexistent politico/economic pull of their architecture constituents.<sup>19</sup> He explained the reality of a weak profession and hence a weak professional organization. It renders the wobbly insincerity of the “We speak up and policymakers listen” pronouncement, in “The Statement of our Value,” overt.

### Upshot

So what is to be done? Calling for Robert Ivy’s resignation misses the point; it addresses a symptom and misses the cause. The AIA has demonstrated neither the will nor the incentive to address fundamental tensions in the profession or deal with structural impediments. We need an organization that is not afraid to advocate

for the value of not just “architecture” but architects; at the same time, we need a professional organization that can shed light on more than our inspired ability to “look up!” and will point instead to society’s dependence on our delivery of humane spaces. The question then is this: do we hope for a transformed AIA; put in place a parallel organization that can do what the AIA cannot do; start over with an organization willing to address hard issues, admitting that substantive dialogue always offends somebody; or, deprofessionalize.

*The transformed AIA would need to do these things:* It would need to regain our trust by admitting that we are a profession in crisis; that the divisions in the profession outlined here are real; and describe the specific ways the AIA makes choices and compromises among the different constituencies. It would need to demonstrate that it has a vision for the future of the profession that is not the same as the present. It would need to be completely transparent about its lobbying activity. Who is hired to argue in what state and national legislation, and how much money is spent on it? What specifically is the AIA doing when it says, in the “Where Architects Stand: A Statement of Our Values” document, “This is why we advocate for... [protecting and expanding laws that reflect our values; investing in well-designed civic infrastructure; robust building codes]”? What percentage of the budget goes to legislative action in comparison to organizing self-congratulatory events, the dispersion of honors and prizes, and the salaries of AIA officials (including the \$514,000 for Robert Ivy)? And finally, it would have to show political leadership motivated by ethical, not merely expedient, choices.

*Form and coordinate with another organization that does the difficult policy work for which the AIA feels inadequate:* This would be

either a sister organization that advocates for fair labor laws while AIA goes after work for the firms and celebrates its successes or an umbrella organization coordinating and overseeing AIA, NCARB, and NAAB. The first might be a union since unions are exempt from antitrust laws and would have the full authority to speak for the majority of architectural workers. Indeed, a union connecting with the larger Architecture, Engineering, and Construction (AEC) industry, with its not insignificant amount of dollars passing through a relatively small amount of workers’ hands, would have significant economic leverage that translates directly into political power. As policy analysts have identified, professional distress leads logically to unionization.<sup>20</sup>

The second umbrella organization would be able to assess the larger mission of the profession’s viability, not just monitor existing definitions of the profession.<sup>21</sup> The five “collaterals” that make up the architecture professionalization community—the AIA, AIAS, NAAB, NCARB, and ACSA—divide a profession that must still persuade state legislatures and professional licensing boards. As we have seen, this contrasts with law and medicine, fields that link their professional institutions for greater power and legislative effect. The Royal Institute of British Architects (RIBA) has the Architects Registration Board (ARB) as its licensing other, and together the RIBA and the ARB manage school accreditation, a link that manages its social, political, and economic influence more coherently.

*Another organization that would take on a different mission altogether:* This organization would model, in its own administration and in the firm offices it supports, the ideals that it advocates for the public. Work in all architectural venues would be legal, fair, racially and ethnically diverse, self-empowering, family-oriented, flexible, gender-sensitive, healthy, and happy; they would draw the connection between our actual work experience and the production/

design of work (and life) experiences of others. As long as architecture in its own house doesn't practice what it preaches, our ideals for society will remain an abstraction.

It would transcend the scrambling for a too-small pie, making clear why this pie is so small: because the financialization of urban development led by the real estate and financial services industries has been a leading edge of the neoliberal revolution over the past forty years, rewarding those at the very top at the expense of everyone else.<sup>22</sup> It would fight for the deep investments historically achieved by non-market-driven objectives—like good affordable housing—without falling prey to state authoritarianism (a real risk in Trump times). It would self-organize according to the principles of radical democracy and embrace difference, dissent, and antagonisms. It could, indeed, propose an alternative to the free-market economy and argue for a more socially minded, democratically planned economy.

*Deprofessionalization:* In distinction to the above suggestions that attempt to bolster the goals of an imperiled profession, one can consider deprofessionalization. While deprofessionalization for many is a negative term depicting deskilling in the “learned professions,” it merely alludes to unburdening a group—still competency-certified and still passionately driven—of its ideological hang-ups: aristocratic class identification, specialization that holds us apart from other actors in the AEC industry, the false ideal of superior expertise, ignorance of a complex balance of diverse social forces, unfulfilled notions of autonomy, fictitious ideas of being above business, the expense of elite education.<sup>23</sup>

Professionalism, a construct of liberal capitalism, had three simultaneous goals: to ensure a guiding, elite knowledge sector; to—ironically, at the same time—harken back to pre-capitalist ideals of craftsmanship, universal protection of the social fabric,

and noblesse oblige; and to offer conventions of standardization, scientific and cognitive rationality, and a progressive division of labor.<sup>24</sup> Those goals are no longer relevant or realistic in today's neoliberal economy, and other organizational mechanisms need to be released.

Deprofessionalization can be seen as acquiescence to market forces or as an immediate leap toward what Hardt and Negri call “the common,” or what Herbert Marcuse termed nonrepressive society. If the first, this forced plunge into the market (which for all intents and purposes was imposed upon the professions by anti-trust law in the '70s and '80s anyway) would force those practicing architecture to rethink their value and power without the crutch of (aesthetic and class) exclusivity. If the second, all the better—a whole new political economy and sociality needs to be designed for it; architects should have a lot to contribute.<sup>25</sup>

Choosing among these various alternatives is clearly linked to one's political stomach and/or one's view of what is practically obtainable. They are laid out here not to encourage an agreement on one course of action—the Architecture Lobby sees itself as an arena of debate, not policymaking—but to initiate the end of a banging-our-heads-against-the-AIA-wall era. The hope is to start a deeper conversation about what we actually want of our profession and the organization that can deliver it. We all want and deserve more.



**The Architecture Lobby, Inc. is an organization of architectural workers advocating for the value of architecture in the general public and for architectural work within the discipline. It believes that the work architects do—esthetic, technical, social, organizational, environmental, administrative, fiduciary—needs structural change to be more rewarding and more socially relevant. As long as architecture tolerates abusive practices in the office and the construction site, it cannot insist on its role in and for the public good.**

- 1 Left out in this set of opposing architectural constituencies is the opposition between firms that work for social good and those that are exclusively profit driven. Firms driven by public interest—since they are scarce, they tend to be non-profits and have few employees—have the least voice in the AIA and are the least to profit from membership.
- 2 In 2014, the AIA rejected ADPSR's proposal, but the AIA National Ethics Council, which had never considered the proposal before, has now agreed to do so. Since AIA's rejection, two more medical professional associations have told their members not to participate in executions, and the United Nations has adopted new human rights rules for the treatment of prisoners specifically barring the kind of solitary confinement routinely practiced across the United States. "ADPSR Thanks AIA for Reconsidering Human Rights," *ADPSR*, February 24, 2016, <http://www.adpsr.org/blog/entry/3962509/adpsr-thanks-aia-for-reconsidering-human-rights>.
- 3 On February 24, 2017, the Trump administration posted a presolicitation for the border wall: [https://www.fbo.gov/index?s=opportunity&mode=form&id=b8e1b2a6876519ca0aed\\_d748e1e491cf](https://www.fbo.gov/index?s=opportunity&mode=form&id=b8e1b2a6876519ca0aed_d748e1e491cf) (Thank you, ADPSR.)
- 4 Equity by Design (EQxD), a subgroup of AIASF, has been very proactive in identifying the work/labor issues that affect the profession, emphasizing the fact that these issues—work-life balance, firm culture, equity in pay—affect women and other marginalized groups in negative ways. They, as much as other voices of protest, are responsible for any attention paid by the AIA to labor issues. There is an ongoing debate between EQxD and the Architecture Lobby about the efficacy of working within or outside the AIA. This is a fruitful debate; certainly the AIA listens to EQxDesign. But for all intents and purposes, EQxD has had to operate as an adversary of AIA National to get them to listen.

- 5 Bureau of Labor Statistics for architects and lawyers; for doctors, [http://www.pay-scale.com/research/US/People\\_with\\_Jobs\\_as\\_Physicians.%2F\\_Doctors/Salary](http://www.pay-scale.com/research/US/People_with_Jobs_as_Physicians.%2F_Doctors/Salary).
- 6 The issue of looking at professional fees as a special category of work that allows an avoidance of comparison with manual labor or other industries like banking or consulting is, we know, problematic; our comparison here in this regard is ultimately specious. It nevertheless makes a point for those who feel there should be a special reward for professionalization.
- 7 In some ways, the "public" is ephemeral—private clients, institutions, local communities—but in other ways, it is not. The General Services Administration (GSA), the government agency responsible for building and maintaining government buildings, is, in fact, *the* client par excellence. Most recently, the American Recovery and Reinvestment Act of 2009 (ARRA), an economic stimulus package, was signed into law by President Barack Obama. Part of this program included investing an unprecedented \$1.665 billion for modernization projects at 150 GSA historic buildings. Many aspects of AIA work are involved in making architecture look good to the GSA. Not all of this negotiation is detrimental to architects: the Design Excellence Program has been a boost for design and small firms. But it was the GSA, the Corps of Engineers, and other government agencies that resented the fixed-fee schedules of architectural and engineering societies as far back as the 1960s and used the DOJ and FTC to encourage compensation methods favoring themselves.
- 8 At the time of this essay's writing, the top message on the AIA website was "Don't miss A'17, the event of the year"; on the American Bar Association, it is "The independence of the judiciary is not up for negotiations"; and on the American Medical Association, it is "Learn about efforts to stop health insurance mergers."
- 9 Consent decrees are the normal way of resolving antitrust suits brought by the DOJ and FTC. They have the advantage of avoiding the expense of a trial and any admission of guilt. They set rules of behavior meant to stop the perceived illegal behavior and prevent possible recurrence. In other words, they move away from a litigation-oriented approach toward a regulatory one.
- 10 *United States v. The American Institute of Architects*, Civil Action No. 992-72 (1972). See Appendix C.
- 11 *United States v. The American Institute of Architects*, Civil Action No. 90-1567 (1990). The 1972 and 1990 suits were against the AIA, but the consent decrees govern all architects, whether AIA members or not. The 1990 consent decree stipulates that nothing "shall prohibit any individual architect or architectural firm, acting alone" from expressing an opinion about architectural prices or competition, reflecting the goal of the original Sherman Act to let individuals set prices as they want. The illegal aspect is architects—even just two—acting in unison. Even if these acts are not overt attempts to price fix, the possibility of collusion subjects it to antitrust attack. Architects can also be implicated for banding together to resist unfair pricing practices. For example, two architects' agreement to boycott an architectural competition is illegal.
- 12 In contemporary times, the DOJ and FTC have varied their antitrust aggressiveness according to what they learn about capitalism's growing global frontiers. Various judgments in favor of mega-corporations like Apple, Microsoft, Google, Facebook,

etc., are witness to the courts' (and Congress') flexibility regarding what makes the American economy strong. American leadership in the "innovation" economy has restrained antitrust fervor. As sentiments favoring free-market mechanisms explore the global economy, antitrust laws favoring the strongest within a given field have adjusted to favoring American global dominance period. Specifically, the "innovation" economy, which America leads, requires strong intellectual property laws traditionally in tension with antitrust law. As the Second Circuit observed in *SCM Corp. v. Xerox Corp.* (1981), antitrust and intellectual property laws "necessarily clash... the primary purpose of the antitrust laws to preserve competition can be frustrated, albeit temporarily, by a holder's exercise of the patent's inherent exclusionary power during its term." *SCM Corp. v. Xerox Corp.*, 645 F.2d 1195 (Second Circuit, 1981). Also see Paul Saint-Antoin, "Antitrust Law and Intellectual Property: Intersection of Crossroads?" *AntitrustConnect*, March 25, 2011, <http://antitrustconnect.com/2011/03/25/antitrust-law-and-intellectual-property-intersection-or-crossroad>.

13 This was conveyed to Peggy Deamer at an AIASF board meeting on May 19, 2015.

14 Colluding on wages is, like colluding on fees, illegal under antitrust law.

15 Third-party surveys, unlike those initiated by a professional organization, qualify as objective and noncollusional if: 1. they are done by a purchaser, a government agency, an academic institution, or a trade association, but not by competitors; 2. the information provided by survey participants must be based on data more than three months old; and 3. there are at least five providers reporting data upon which each disseminated statistic is based (no individual provider's data represents more than 25 percent on a weighted basis of that statistic); and 4. any information disseminated is sufficiently aggregated such that it would not allow recipients to identify the prices charged or compensation paid by any particular provider. "Antitrust Regulations and Salary Surveys," *Compensation Force*, February 23, 2007, [http://compforce.typepad.com/compensation\\_force/2007/02/antitrust\\_regul.html](http://compforce.typepad.com/compensation_force/2007/02/antitrust_regul.html).

16 In the 1980s, when the *Legal Times of Washington* conducted and published a survey of starting salaries, the large firms rallied around the dominant annual starting salary that emerged; it became the standard. Jay Stephens, legal counsel to National ATA, described in a phone conversation on June 21, 2015 how Washington law firms "stopped work" the day that the survey came out as offices absorbed (and adjusted) the documented salary information.

17 Frank P. Grad, "The Antitrust Laws and Professional Discipline in Medicine," *Duke Law Journal*, vol. 1978, no. 2 (May 1978): 443. Grad goes on to point out that the medical profession, regulated at the state level, uses the fact that the states have minimal enforcement capacity to protect "the inside group of licensees" rather than the public.

18 See Thomas D. Morgan, "The Impact of Antitrust Law on the Legal Profession," *Fordham Law Review*, vol. 167, no. 2 (1998).

19 Peggy Deamer and Sean Flynn, interview with Robert Ivy, January 22, 2014.

20 "When professional status is challenged at its core, as it has been throughout the 1980s and 1990s by managerial cost-cutting strategies and bureaucratization, professionals feel their work becoming commodified and their identity questioned... such a challenge has led to organizing, even among groups not previously believed

to be strongly disposed toward union organizing like nurses, doctors, or social workers." Lionel Dionne, "Deprofessionalization in the Public Sector," *Communications Magazine*, vol. 35, no. 1 (Winter 2009), <http://www.pipsc.ca/portal/page/portal/website/news/magazine/winter09/6>.

21 In acknowledging that our political power needs to be used at the level of the state, we must also recognize that an oversize real estate industry displaces our influence over development and thus our financial rewards. The irony is that the real estate industry has historically won its position through strong-arm tactics but couches its whole existence on the virtues of the free market.

22 Manuel Shvartzberg, "Securitizing the *Demos*: Constructing the First U.S. Real Estate Financial Index, 1975–1983," paper delivered at the European Architectural History Network conference, Dublin, June 2, 2016.

23 The fact that both free-market proponents and neo-Marxists are critical of professionalism might give one pause about its ideological imperative. But it might also be an indication of where precisely the red and blue state workers can agree on a way forward.

24 Magali Sarfatti Larson, *The Rise of Professionalism: Monopolies of Competence and Sheltered Markets* (New Brunswick, NJ: Transaction Publishers, 2013), xiii.

25 Hardt & Negri's *Commonwealth* is their most complete theorization for a new kind of political economy and society, updating and fusing post-Marxism with the ideas and policies of radical democratic theory, feminism, post-humanism, and post-colonial thought. While specific economic policies are still mostly experimental (for instance, through technological explorations of "platform economies," the Universal Basic Income, etc.), the project is taking its most concrete political forms in (mainly) municipal political movements across the world—emphasizing political-economic participation and enfranchisement in "common" affairs beyond exclusivist expertise (i.e. professionalism). Scaling these movements up to the level of the state and international organizations remains the most difficult but crucial task, especially in an era of raging ethno-nationalisms and xenophobia.

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