

Examining the Professional Codes of Design Organisations

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Many of the professional organisations within the various fields of design activity publish professional codes of ethics in one form or another. This paper opens up a discussion of the role which professional codes might play in relation to the ethicality of design activity. A framework for understanding the roles and functions which professional codes may play is constructed using concepts drawn from the literature on professional codes. The content of fourteen professional codes issued by design organisations is presented and examined. There does appear to be a broad consensus across the content of the codes examined. However, the matter of whether this consensus reflects a profession-wide convention is debatable. The paper concludes with a discussion presenting possible critiques of the nature and operation of professional codes within the context of design, and reflecting on some of the implications of this analysis for how we might reasonably think about the relationship between professional codes and bigger questions of the ethicality of design.

design organisations; ethics; professional codes; professional ethics

1. Introduction

How can we best ensure that design activity is carried out ethically, and results in optimally ethical outcomes? The seemingly innocuous question of “how to be good” in design is in fact one of (if not the) most complex questions which can be asked of the field. Ethics is a hot topic in contemporary design discourse. One issue which makes regular appearances in the perpetual discussions and debates regarding questions of how to practice design well, is that of codes of professional ethics. Two highly visible emergences of this theme in the past year offer convenient illustrations of the typical scope and terms of the recurring debate. At the personal end of the spectrum, designer Mike Monteiro’s “a designer’s code of ethics” (2017) originally posted as an article on the blogging platform medium.com (and later as a series of posters in collaboration with other designers (Figure1)) received extensive coverage in the online popular design press. At the macro level, the Montreal Design Declaration (Figure2), published at the World Design Summit, contains a “call to action” calling for the:



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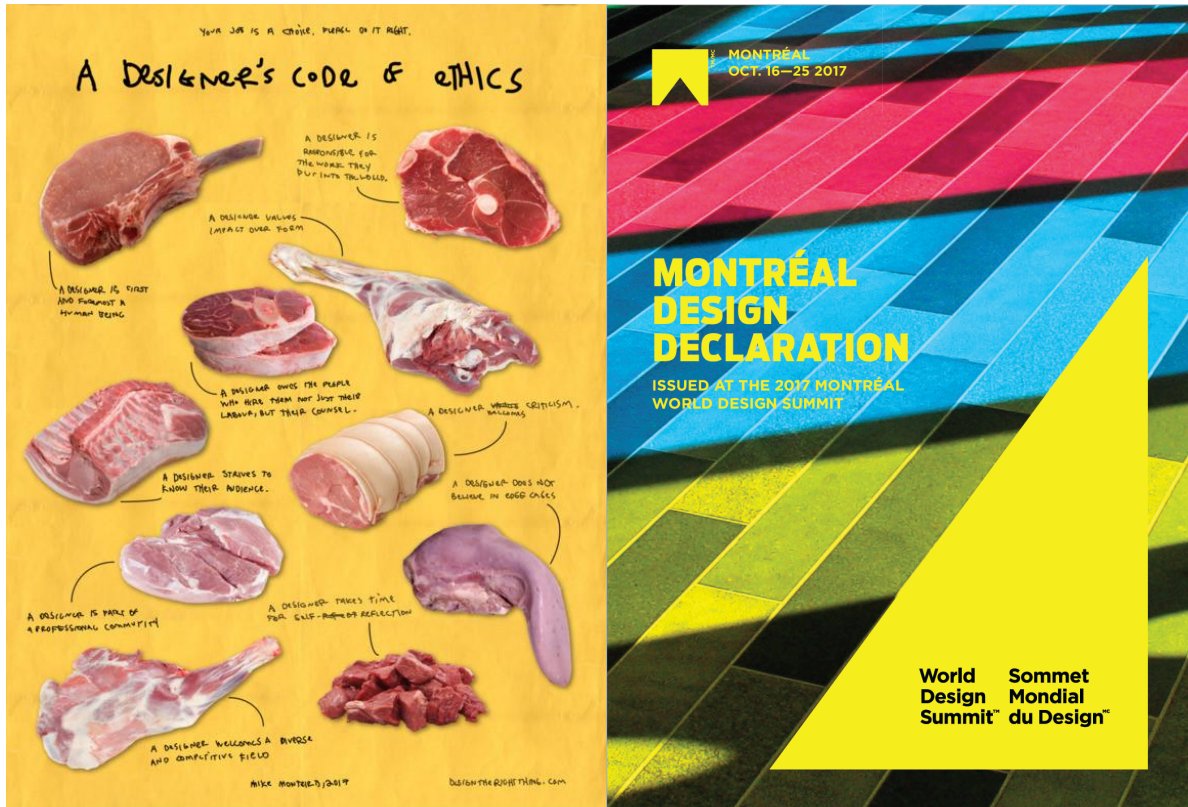


Figure 1(Left): Mike Monteiro's A Designer's Code of Ethics Poster. source: designtherightthing.com

Figure 2(Right): Montreal Design Declaration. source: worlddesignsummit.com

Development of Design Standards: support of professional design communities, the development of design industry infrastructures and development of standards, codes, covenants, best practices, legal protections and certification programs. (World Design Summit, 2017)

Codes of ethics are a topic of sustained interest and activity in the design world. Many of the professional organisations operating within the various fields of design activity publish professional ethical codes of one form or another. The often unspoken subtext to such activities is the assumption that these documents have some contribution to make towards the ethicality of design. The modest aim of this paper is to open up discussion of the role which professional codes might play in design activity in relation to this larger question of how to be good in design.

2. Professional Ethics: Conventions and Codes

Michael Davis, professor of philosophy at the Center for the Study of Ethics in the Professions at the Illinois Institute of Technology (CSEP) describes a profession as “a number of individuals in the same occupation voluntarily organized to earn a living by openly serving a certain moral ideal in a morally permissible way beyond what law, market, and morality would otherwise require.” (Davis, 2003, p.442) While an occupation can be defined according to the characteristics of the types of activity undertaken, designation of a profession involves moral value judgements about *the ways in which* this activity is undertaken. Davis proposes that a profession comes into existence not by legal institution or authority, but rather through a voluntary organisation of self-identifying individuals who operate according to a collective *convention* regarding the moral dimension of their common activities. Professional membership is gained by making the conscious voluntary choice to align oneself to a professional convention. In Davis view, an occupational group becomes a profession at the point at which members can be held accountable by the group as a whole according to their collective convention. Those who act in accordance with the convention qualify as members, while those who fail to do so will be rejected. For example, if part of the convention among doctors is that

they should do no harm to a patient, any doctor who wilfully harms will no longer in the eyes of the profession be considered to be a doctor.

Professional conventions may initially exist as unwritten sets of collective intuitions. As a profession seeks to understand, define and delineate itself these intuitions are often *codified*: formalised as written documents of one kind or another. These documents can be given many names: codes of conduct, ethics, best practice. Here, the term *professional codes* will be used to refer to all such activities of the formal codification of moral values.

The implicit claim of a professional code is that there are better and worse ways to undertake the activity in question. As Mark S Frankel, former director of CSEP, writes "A code embodies the collective conscience of a profession and is testimony to the group's recognition of its moral dimension." (1989, p.110) The moral narrative embodied by a professional code is an outward facing presentation of norms and conventions perceived by members within the professional group.

Professional codes can take many different forms in the real world. They can be created, declared, published and adopted in different contexts and at different levels ranging from individual statements (like Mike Monteiro's), to corporate policies, to regional, national and international profession-wide declarations (like the Montreal Declaration). Though they all share a common root in seeking to reflect something of the professional convention, codes can be created with a range of different purposes in mind. Once a code has been created and is released into the world, it can also be interpreted and utilised in a broad range of ways.

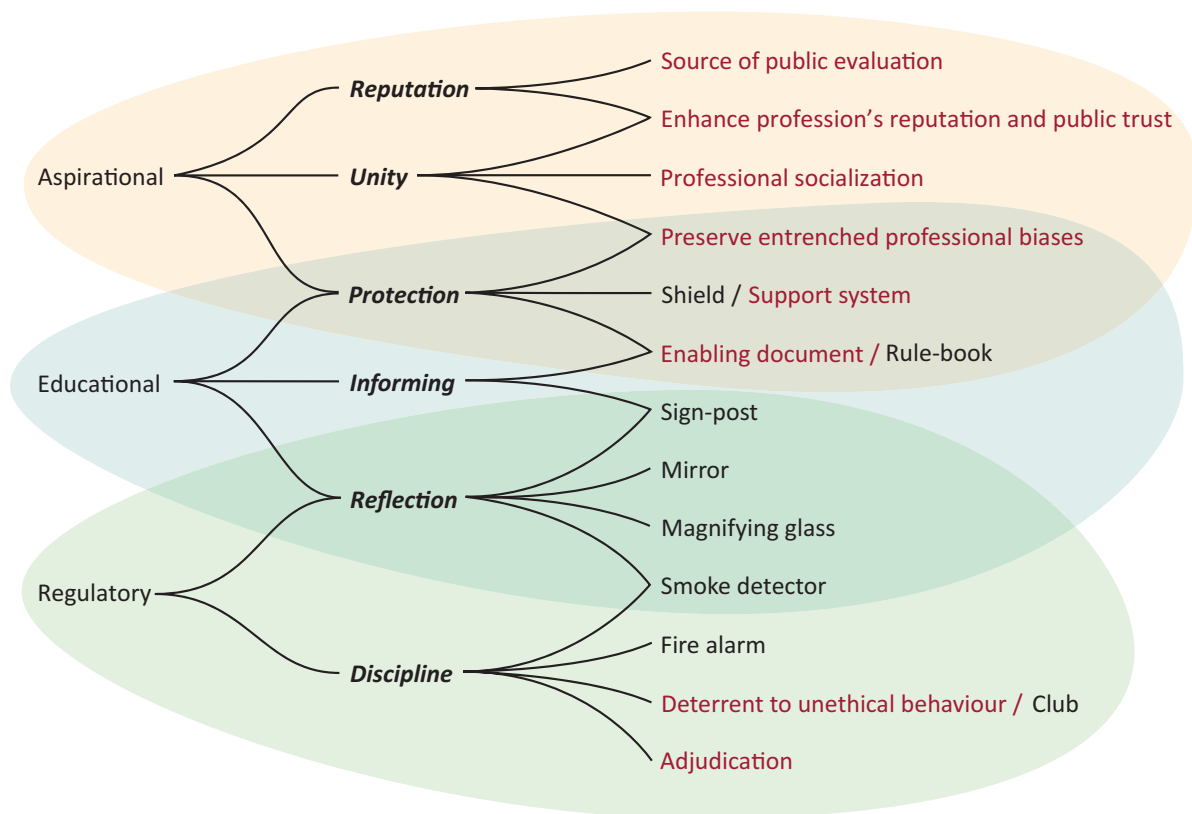
3. The Roles and Functions of Professional Codes

Frankel (1989) suggests that there are three types of code, not exclusive but conceived as on a continuum in which all three types are likely to exist simultaneously in any one given code: *aspirational* codes which declare ideals to strive towards; *educational* codes which seek to aid understanding and interpretation of activity within the profession; and *regulatory* codes which provide rules as a basis for monitoring and discipline. He suggests that criticism of the real-world operation of professional codes is often misdirected due to fundamental misunderstanding or failure to properly consider the multiple functions of a particular code in context. It is on this basis that he explains eight common functions which a code can perform within the continuum of aspiration, education and regulation.

The first of these functions is the use of a code as an *enabling document* "simplifying the moral universe and providing a framework for organizing and evaluating alternative courses of action." (Frankel, 1989, p.111) In this way a code can function to remove uncertainty and bring clarity in ambiguous or complex situations by enabling an individual professional to take actions based on reference to the clearly predetermined framework which has been set out and agreed by all.

The second function is as a *source of public evaluation* by which the public is informed of the expectations they may reasonably hold of members of the profession. The third function is one of *professional socialization* by which the code functions to strengthen the identity, unity and allegiance of members in regard to their profession. The fourth function is to *enhance* [a] *profession's reputation and public trust* by which the code becomes a tool which wins support and positive feeling or allays fears and lack of confidence within the public toward the profession. This is seen as necessary for the continued functioning of a profession within society. However the potential for manipulation of public impressions as "a matter of strategy rather than morality" (Frankel, 1989, p.112) is a cause for concern. Frankel's fifth function also contains a critical edge suggesting that a code can function to *preserve entrenched professional biases* as the status quo is protected and deviant ideas are censored.

The sixth function is the code as *deterrent to unethical behaviour* by which some combination of the threat of disciplinary sanctions, and the peer pressure of fellow members committed to the conventions of the profession, functions to deter violations of the code.



Frankel's 3 Types

6 Bridging Categories

Frankel's Functions
Schwartz' 8 Metaphors

Figure 3: A Framework for the Functions of Professional Codes

The seventh function is that the code can provide a *support system* which strengthens the individual's voice against external pressure to compromise standards. It is much easier to stand against the unconscionable demand of client, colleague, employer, or society as a member of a profession defending its collective ideals, than as a lone individual.

Finally the eighth of Frankel's functions is *adjudication* by which the code provides a pre-agreed standard by which disputes and conflicts can be resolved.

Canadian business ethics researcher Mark Schwartz also describes eight senses in which codes are understood to function by identifying metaphors invoked during interviews on the subject (Schwartz, 2001, p.255). These eight metaphors can be seen to bear some obvious similarities to Frankel's functions. Schwartz's metaphors are the code as: a *rule-book* clarifying expected behaviour; a *sign-post* encouraging consultation of others to determine judgement on behaviour; a *mirror* offering self-reflective perspective as to the acceptability of behaviour; a *magnifying glass* encouraging caution and reflection before acting; a *shield* allowing professionals to protect themselves from unreasonable requests; a *smoke detector* warning of potentially unacceptable behaviour; a *fire alarm* which allows for the reporting of violations; and finally a *club*, which encourages good behaviour through the threat of discipline.

What is important to draw from the discussion of both Schwartz and Frankel's research is the inference that any attempt to understand the role of codes in a profession must engage and acknowledge these multiple realities, motivations and functions inherent within such documents. This knowledge will help to avoid dismissing a certain code or codes in general on the basis of failure to meet a goal which they were either fundamentally unsuitable for or never intended to meet.

Placing Schwartz's eight metaphors for the operation of codes alongside Frankel's eight functions of professional codes, together with his suggestion of the three common types of professional codes, a framework can be constructed through which to examine the roles and functions of professional codes.

Figure 3 shows a simple visualisation of this framework, drawing attention to the relationships between the variously suggested aspects of the functioning of the three schemes discussed here. Bridging between the three overarching modes and the more specific functions and metaphors, six themes consisting of reputation, unity, protection, informing, reflection and discipline, have been added. Together, this forms a useful and practical framework to interface with all three schemes in this investigation of the specific design context.

4. An Analysis of the Ethical Codes of Fourteen Design Organisations

Considering the multiple dimensions of this framework, it is clear to see that professional codes are multi-faceted documents capable of addressing various motivations, functions and roles. The best way to understand which of these roles, functions, purposes and agendas are at play within design's engagements with professional codes, is to actually look at documents produced in a design context.

Focussing on the organisational rather than personal level, the professional codes of fourteen design organisations were selected for analysis. The sample was limited to organisations publishing their codes in English, but includes codes from six countries across four continents, plus two international bodies. Six of the organisations relate to graphic or visual communication design and one to illustration. Three groups exist for design in general, representing a range of sub-fields. Two are professional bodies for industrial design. One represents interior design and one represents design in a business context. Table 1 shows the organisations making up the sample.

Table 1: Design Organisations Sampled

Field	Acronym	Full Name	Nationality
Graphic/Visual Communication	AGDA	Australian Graphic Design Association Limited	Australia
	AIGA	AIGA, the professional association for design	USA
	GDC	Society of Graphic Designers of Canada	Canada
	ICOGRADA	International Council of Communication Design	International
	RGD	The Association of Registered Graphic Designers	Canada
	wREGA	Graphic Design Association of Malaysia	Malaysia
General Design	CSD	The Chartered Society of Designers	UK
	DIA	The Design Institute of Australia	Australia
	DINZ	The Designers Institute of New Zealand	New Zealand
Industrial Design	WDO	World Design Organisation (Formerly ICSID)	International
	IDSA	The Industrial Designers Society of America	USA
Illustration	AOI	The Association of Illustrators	UK
Interior Design	BIID	The British Institute for Interior Design	UK
Design and Business	DBA	The Design Business Association	UK

By closely reading the fourteen codes and identifying the individual principles expressed throughout each, then grouping these into common themes emerging between and across the codes, forty-one separate themes recurring in at least two or more codes were identified. These themes are presented in Table 2 where they have been organised according to four categories. These themes are placed here in no particular order and could just as easily be organised according to an alternative scheme of categories or none.

Table 3 indicates the presence of each of these forty-one themes within each of the fourteen codes. The table is organised with the themes on the Y axis sorted by order of how many of the fourteen codes they appear in. Along the X axis the fourteen codes are sorted by the number of themes appearing within each. This arrangement in itself reveals nothing particularly meaningful about the content of the codes themselves. It is included here simply as a visual indication of the level of consensus and crossover between the codes on certain issues.

This table only shows which themes occur in which documents. It tells us nothing about the relative importance of those themes which do occur, and nothing about any assumed principles which may have been deemed either too obvious and self-evident to include, or as lying outwith the remit of a document. The themes which occur most frequently across the codes issued by different design organisations are not by any means necessarily the most valued and important ethical principles held by designers in general. Vice versa there may be ethical principles which occur infrequently or not at all in these codes, which are actually held in general by designers to be vitally important if not central to their ethical worldviews.

For example, while we can see that confidentiality is a principle which has widespread consensus, we cannot tell from its prevalence alone whether this principle is valued more highly than the commitment to upholding human rights and condemnation of unfair discrimination which is mentioned by only six out of fourteen documents. It is entirely possible that a significant proportion of designers, if asked to weigh these two themes against each other in terms of importance, might prioritise the fundamental rights of others over professional conventions of client confidentiality. In a situation in which these two principles conflict, either principle may well win out depending on the specifics of the circumstances. The mere presence of themes within a code tells us very little about the relative weighting of these.

It is equally important to recognise that the absence of a certain principle does not mean that it is not valued by designers. For example, these documents are entirely silent on particular matters such as whether designers should beat their children or hunt elephants for their ivory tusks. These codes neither encourage nor prohibit participation in such activities. The absence of reference to such issues of course does not tell us that designers are entirely indifferent towards child beating and the ecological impacts of the ivory trade, but at best can offer us an indication that such issues have not been considered by those involved in writing the codes to be central to the specific aims and purposes of the document.

It is also worth noting that those codes which contain reference to a greater number of the forty-one themes should not, based on this observation alone, be considered to be in some way 'more ethical' than those which contain relatively fewer items from the list. The volume or nature of the content of these codes, should not be confused with the purposes towards which these codes have been produced, and the matter of whether or not they are in fact capable of fulfilling these purposes.

Considering the forty-one themes identified across the content of the fourteen codes of the professional design organisations examined here, it can be seen that most of these codes are capable of simultaneously touching on almost all of the roles and functions which professional codes are capable of playing as set out in the framework earlier (Figure3).

Table 2: Grouped Themes

RELATING TO PROFESSION/ ORGANISATION	Commitment to professional excellence
	Members commitment to compliance with code
	Commitment payment of membership fees
	Responsibility to notify organisation of bankruptcy
	Protecting value of membership
	Recognising jurisdiction of foreign professional bodies
	Submission to disciplinary action and consequences
	Commitment to fulfilling legal obligations
Expert witness	
RESPONSIBLE BUSINESS – EXTERNAL	Responsibility to clients
	Confidentiality
	Conflict of Interest 1 Prohibition on working for competing clients
	Conflict of Interest 2 Prohibition of work in which personal interest conflicts with professional duty
	Conflict of Interest 3 Prohibition of benefits which impair impartiality
	Conflict of Interest 4 Benefiting from recommendations
	Fair Remuneration 1 Payment
	Fair Remuneration 2 Prohibition of unpaid work
	Fair Remuneration 3 Exceptions to prohibitions of unpaid work
	Fair Remuneration 4 Regarding design competitions
	Contracts 1 Commissioning
Contracts 2 Openness and clarity	
Contracts 3 Subcontracting	
RESPONSIBLE BUSINESS – INTERNAL	Respect for colleagues 1 Fair and open competition encouraged
	Respect for colleagues 2 Prohibition of unfair competition
	Respect for colleagues 3 Accepting projects worked on by others
	Respect for colleagues 4 Prohibition on receiving payment for recommendations
	Respect for colleagues 5 Fair criticism and prohibition of denigration of others
	Responsibility towards employees
	Education 1 Commitment to education of others
	Education 2 Commitment to personal continuing professional development
	Promotions 1 Honesty in representing self
	Promotions 2 Honesty in representations of others
	Promotions 3 Promotions involving others
	Credit 1 Authorship
	Credit 2 Intellectual property rights
Credit 3 Plagiarism and copying prohibited	
SOCIAL RESPONSIBILITY	General responsibility to society and to avoid doing harm
	Commitment to aesthetic community/cultural standards
	Ethical values: honour/dignity/truthfulness/honesty/integrity/competence
	Upholding human rights, and against unfair discrimination
	Responsibility for environment

Table 3: Distribution of themes

	RGD	DINZ	WREGA	GDC	BIID	AGDA	CSD	ALGA	ICORADA	DIA	IDSA	WDO	AOI	DBA	Number of codes which mention theme
Confidentiality															14
Responsibility to clients															13
Prohibition on working for competing clients															12
Plagiarism and copying prohibited															12
Ethical values: honour/dignity/fruithfulness/honesty/integrity/competence															12
Authorship															11
Responsibility for environment															11
Exceptions to prohibitions of unpaid work															10
Prohibition of unfair competition															10
Prohibition on receiving payment for recommendations															10
Fair criticism and prohibition of denigration of others															10
Prohibition of work in which personal interest conflicts with professional duty															9
Accepting projects worked on by others															9
General responsibility to society and to avoid doing harm															9
Members commitment to compliance with code															8
Submission to disciplinary action and consequences															8
Benefiting from recommendations															8
Honesty in representations of others															8
Promotions involving others															8
Commitment to professional excellence															7
Recognising jurisdiction of foreign professional bodies															7
Payment															7
Openness and clarity															7
Prohibition of unpaid work															7
Honesty in representing self															6
Upholding human rights, and against unfair discrimination															6
Protecting value of membership															5
Regarding design competitions															5
Subcontracting															5
Commissioning															5
Commitment to personal continuing professional development															5
Commitment to aesthetic community/cultural standards															5
Commitment payment of membership fees															4
Commitment to fulfilling legal obligations															4
Prohibition of benefits which impair impartiality															4
Fair and open competition encouraged															4
Commitment to education of others															4
Intellectual property rights															4
Responsibility to notify organisation of bankruptcy															3
Expert witness															3
Responsibility towards employees															3
	32	31	28	28	24	23	22	21	20	19	19	15	11	9	

Number of themes mentioned in single code:

- RELATING TO PROFESSION/ORGANISATION
- RESPONSIBLE BUSINESS – EXTERNAL
- RESPONSIBLE BUSINESS – INTERNAL
- SOCIAL RESPONSIBILITY

Individual articles can fulfil several criteria at once. Take for example the connected principles of the prohibition of unpaid work and suggestions of instances when this general rule might not apply (i.e. pro bono work for charity). These articles serve in an educational sense, informing practitioners of the circumstances under which payment or non-payment for work is seen to be appropriate in the eyes of the profession as a whole. This knowledge can be used by the practitioner as a protective shield against unfair expectations from clients (speculative pitching for example) and as a support system in knowing that other designers also hold this stance. This knowledge that the profession as a whole stands together on this issue also therefore functions as an aspirational source of unity and professional socialisation, helping to build up and inspire a stronger sense of designers as a profession united around common values. In a further sense, these principles can function in a regulatory manner both in terms of allowing practitioners to reflect upon and change their own behaviour, and also through the exertion of peer pressure on fellow practitioners to operate in accordance with the conventions laid out in the codes.

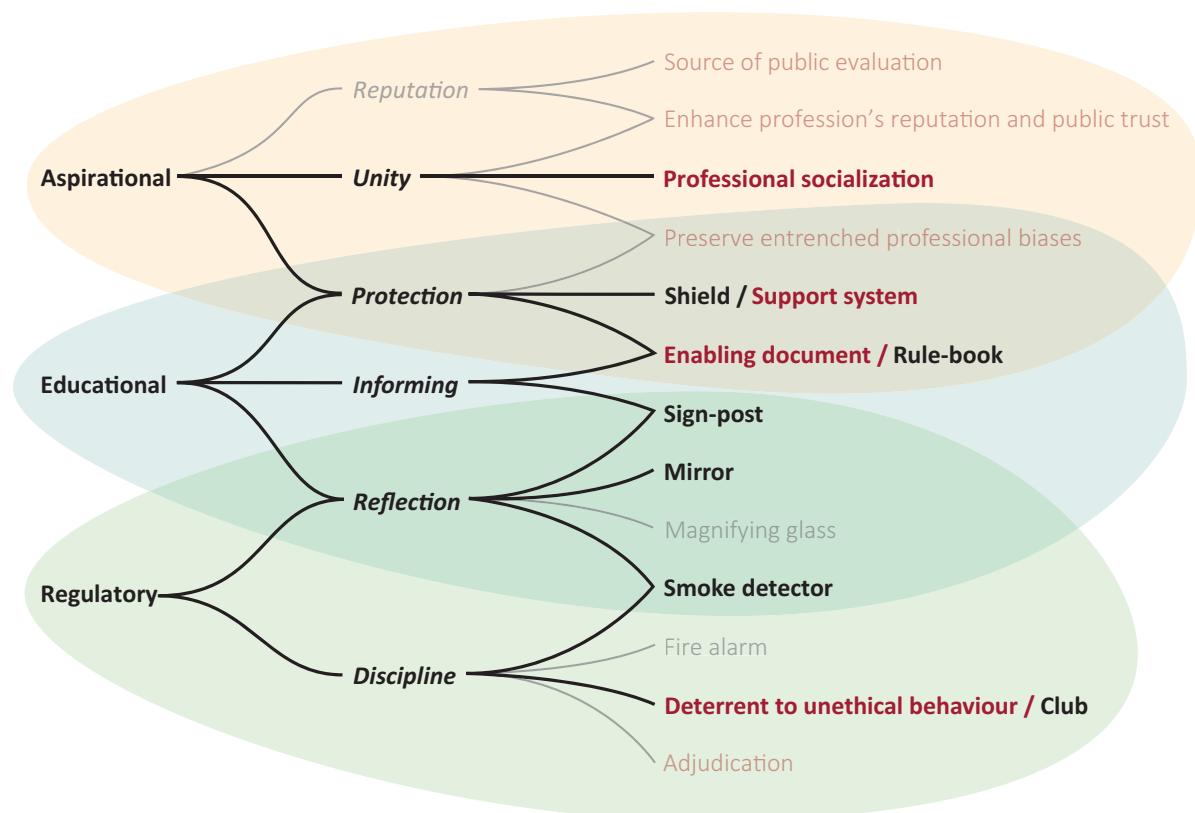


Figure 4: Roles Played by Principles Relating to Unpaid Work

Read in these ways then, the codes which include these two themes can be seen to function in all three of Frankel's aspirational, educational and regulatory senses, and, by merit of fulfilling a variety of the components of Frankel and Schwartz' respective eight part schemes, tick the boxes of at least five out of six of the bridging categories: unity, protection, informing, reflection and discipline. These functions could of course be read differently and in practice may function in ways unexpected and different still. The point remains that even at the level of individual principles, codes are capable of fulfilling multiple roles (Figure4).

Considering these documents as a set of complete codes it does not appear that any parts of the framework set out here are entirely neglected. We might observe that relatively few articles directly address Frankel's function of adjudication procedures to be carried out in cases of dispute or discipline; however it could be argued that many of the principles contained within the codes provide the basis upon which such adjudication procedures (however they might be organised)

might be based. For members who have pledged their commitment to the code, the code itself stands as judge over their activity; it must only be determined whether actions have taken place within or in contravention of the standards set by the code.

According to the framework, design's codes can (at least theoretically) fulfil all of the roles and functions of professional codes. On this basis, it could be argued that design's professional codes are good professional codes, at least in the sense that they conform to the expected structure of such documents. But what bearing does this have on the question of how to make designers good? In considering their potential impacts on the ethicality of design, the final section of the paper will consider some problematic areas and concerns which can be raised around the functioning of professional codes in the design context.

5. Critiques of Professional Codes

In Clive Dilnot's Archeworks Papers, *Ethics? Design?* (2005) – a thorough and thoughtful meditation on what it might mean for design to have its own authentically designerly conception of ethics – he writes:

it cannot be a question of there being an ethics that can be simply applied, an ethics that renders a practice morally justifiable but does not otherwise engage or transform it. There is such an ethics of course – but a very poor ethics it is. Such an ethics (of professional practice) is specifically designed not to engage substantive questions but merely to regulate aspects of the designer-or-architect-client relationship. [...] This is the form of ethics which seeks to tie ethical norms to (quasi)-legal prescription. Its effect is to determine that only those aspects of practice so covered need be thought ethically. All other moments, including all those that have to do with substantial questions of practice and design, are thereby licensed to be free of ethical determination. (Dilnot, 2005, p.10)

Here Dilnot identifies two key critiques which can be raised in regard to the question of the role which professional codes can play in the ethicality of design. The first is that the setting in stone of ethical principles potentially reduces the practitioner's perception of their own need to engage in a process of constantly questioning and revising their ethical reasoning. Rather than having to assess the complexities of individual situations, faith can be placed in the authority of the code, which can then simply be referred to and enacted. This is a perfectly sensible pragmatic strategy to a certain extent. It relieves the burden of having to individually wrestle with complex issues, by offering a conventional standard agreed upon by peers to refer to. Problems arise however when a situation is encountered which is not directly addressed by an article of the code. Principles developed from tried and tested solutions to pre-existing issues are not well suited to coping with unforeseen challenges (for a crushing critique of the inadequacy of predetermined ethical systems in dealing with emergent novel ethical crises, see the work of John D Caputo (1993, 2000)). The practitioner who relies blindly on the code is not accustomed to independent ethical reasoning and may not be adequately equipped to resolve, or even recognise, such a situation. In such a situation the code can become an anaesthetic, offering the aesthetic sensation of ethicality, while in reality operating to decrease sensitivity towards the genuinely ethical (Buwert, 2015).

The consequences of this subconscious delegation of responsibility away from the individual and onto the code, may lead directly to the second hazard highlighted by Dilnot, which is the potential for a code to actually appear to permit any behaviour not explicitly prohibited. A code of ethics which either presents itself as a complete encapsulation of ethics for design, or which is functionally taken as and understood to be such, effectively implies that anything which is not contained within its articles is not an ethical problem. The identification within a code of a specific set of particular issues affecting the field, can create an impression that these issues constitute the totality of ethics within the field. Issues not specifically addressed within the code may not be recognised as ethical at all and therefore may potentially not be addressed in an appropriate manner. Again, this can

potentially have a numbing effect on ethical awareness. Obedient code following, can provide an aesthetic sensation of ethicality which numbs the individual to their responsibility to be sensitive towards the potentialities surrounding their activity (Buwert, 2017).

To give this a practical context, consider a contentious professional issue such as the employment of unpaid interns. Many design studios make use of such arrangements, while others decry them as exploitative. If a designer involved in the employment of interns subscribes to a code of ethics which specifically states that a designer should be fairly paid for the work they do, then it would be expected that this designer would be able to apply this principle and enact a policy of paying interns fairly. If, however, the code subscribed to is entirely silent as to issues of fair payment, then the designer may feel able to employ unpaid interns with a clear conscience. As far as they are concerned, because it does not *forbid* such practices, the code effectively *allows* them to employ unpaid interns.

Even where an article is adhered to by a code-follower, this does not guarantee that the underlying ethical principle is being upheld. The extremely tenuous link between the obeying of rules and the fulfilment of principles which motivate the creation of these rules, revealed in the behaviour of toddlers, who often seem to take the greatest pleasure in finding ways to follow instructions while blatantly disregarding and circumventing the underlying principle. I once observed the child of a friend, who upon being warned not to touch the hot oven door, edged closer and closer to within millimetres of the glass, at which point he stuck out his tongue in order to get as much of his body as close as possible to the forbidden fruit without breaking the rule.

Ideally it is imagined that rules perform the function of permitting good behaviour. In practice, it is possible for them to function as they often effectively do for children: as markers which delimit the boundaries of what you can get away with before you get into trouble. In the example of unpaid interns in the design industry it is possible to imagine a scenario in which a studio could potentially subscribe to the principle that designers should be paid fairly for their work, yet still employ unpaid interns by interpreting the principle in such a way that an intern is not yet considered to be a fully-fledged designer and that unpaid internships are simply part and parcel of the reality of the process of *becoming* a designer who is worthy of being paid fairly.

Professional codes are legalistic systems which must be interpreted, and therefore will always remain open to possibilities of being abused in order to justify certain behaviours. In this way it is possible for codes to permit and allow behaviours which are contrary to the values they originally aimed to promote.

Professional codes could be argued to be at least potentially *unethical* in terms of their abilities to suppress or discourage engagement with the key building blocks of authentic ethical experience. The legalistic structures of these documents can subconsciously encourage blind rule following rather than active interpretation of the possibilities available within the unique situations encountered in undertaking design activity.

Further general weaknesses can be identified in the functioning of professional codes in design, at the broad level at which the profession as a whole is committed to the principles contained within the code.

Some functions of codes can operate purely at an individual level. It is relatively easy to see how the educational aspects of a code in terms of informing, protection and reflection can work in this personal way. A designer can sign up to a code, learn principles to apply in his activity, check his activity against these principles and use these principles as a support to justify and defend his actions to others (Figure5).

However, the aspirational and regulatory functions of the enhancement of professional reputation, inspiration towards professional unity and the deterring of certain behaviours through threat of discipline, are functions which rely not only on the commitment of individuals to the code, but on

the existence of widespread recognition of the professional convention which Davis (2003) talks of. Any meaningful fulfilment of these aspirational and regulatory functions relies upon the reaching of a critical mass of consensus and commitment to the principles expressed with the codes at a profession-wide level. Without this broad consensus, these functions remain weak, partial and unauthoritative: unlikely to be fulfilled.

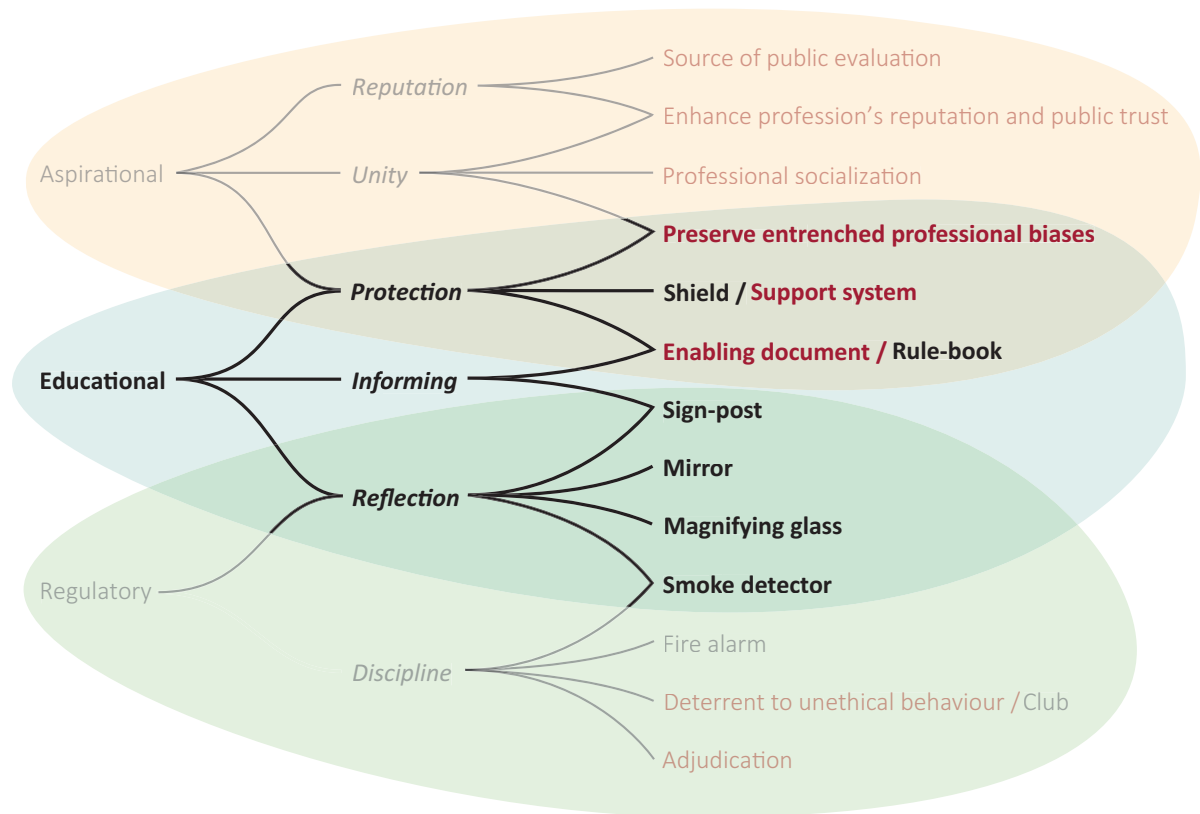


Figure 5: Educational Function of Code at Personal Level

Do design's professional codes show any evidence of the existence of such a profession-wide consensus? Can we see any indication here that design is ethically united at a profession-wide level? In an authentic professional culture, similarities across professional codes issued by different bodies within the profession should be expected. Looking at the design codes examined in this study, it is clear that there is a great deal of common material shared across the codes. In several cases codes are strongly influenced by or directly based upon earlier precedents. In all of the codes there are instances where the language of certain sections or articles mirrors one or more other codes. This degree of similarity goes some way toward suggesting that the principles listed in these codes are generally held to be true across the broader professional group. This internal consensus may be indicative of the existence of a professional convention.

However, regardless of whether there is a consensus across these bodies as to what the content of an ethical code for design should look like, the ability of design's professional organisations to inspire profession-wide subscription to and compliance with these codes appears generally to be weak, particularly when compared with that of the traditional professions.

This is significant in terms of the aspirational role of enhancing the reputation of the design profession. Neither internal nor external perceptions of the trustworthiness of the design profession will be inspired by designers' collective commitment to a professional code, if a critical mass of designers do not appear to actively subscribe to any code at all.

In terms of the regulatory role of discipline, designers are unlikely to be motivated to regulate their behaviour based on threat of discipline from an organisation which does not represent or command the respect of a significant proportion of designers. When membership of a certain body commands no prestige or respect, the threat of the condemnation of or expulsion from this body will instil no fear.

This is an issue for the design organisations who have produced these codes. Most do not command any significant authority based on a foundation of popular mandate. The case of the Chartered Society of Designers (2017) based in the UK illustrates this. In 2011 the CSD gained the ability to officially award the designation of *Chartered Designer* to its members on authority of Her Majesty the Queen. Technically this is the same level of authority bestowed upon chartered architects in the UK, a distinction which carries great weight and authority. However, simply being able to award an authoritative sounding designation does not mean that the designation automatically carries authority. The title of chartered architect is based on the completion of seven years study in accredited institutions. Without it, one cannot practice as an architect in the UK. The “Chartered Designer” designation on the other hand carries very little authority.

Where such schemes do exist in design carrying genuine authority (such as in Ontario, Canada with the legislatively backed RGD programme (RGD, 2017)) they do seem to provide something of a spine to the regulatory and aspirational aspects of professional codes. If membership of an organisation is respected, valued and backed by authority, there is a greater chance that designers will aspire towards the ethical ideals set out by the organisation, and feel some pressure to act in accordance with the consensus of the group.

It is relatively easy to find evidence of authoritatively enforceable professional codes among the established traditional professions with their national regulatory bodies and accreditation systems. Designers, however, appear to be less inclined to embrace the restrictive bureaucracy of such systems. The reasons behind this preference, and the pros and cons of legal regulation lie beyond the scope of this paper. What is relevant here is that contemporary design as a general field of activity collectively chooses (whether consciously or not) not to publically demonstrate profession-wide commitment to a professional convention in the traditional way that the established professions do. This is not in itself evidence of the absence of a professional convention. But it does raise the question of whether design organisations which do choose to publish professional codes should simply follow the established traditional formats for such documents.

What must not be forgotten in all of this is that the explicit context of these codes is that of the *profession*. The guidance offered is explicitly targeted and tailored within the boundaries of professional concerns and expectations and in relation to specifically professional contexts. What this effectively means is that these codes have very little to contribute to any conception of design activity which does not conform to profession norms i.e. industrial, commercial norms. As Boehnert (2014) among many others has pointed out, design encompasses much more than its industrial form. Codes might offer practical, pragmatic, useful advice for the professional designer who operates within the dominant conventional client/commission centred conception of the profession. However, for those designers who view themselves as professionals, yet operate in ways which challenge these received conventions of what constitutes professional practice (through trans-disciplinary (Coles, 2012), speculative (Dunne & Raby, 2013), relational (Blauvelt, 2008), participatory (Mazé, 2013) practices etc.), the content of these codes may be felt to be largely irrelevant.

The fact is, there can be radically differing views as to what constitutes the design profession. While professional practice remains conventional, professional codes which reflect the normative conventions of this profession may well be adequate to meet the needs of practitioners. As soon as anything unconventional occurs or is encountered, the practitioner is hung out to dry, left with the choice either to attempt to force the encountered situation to conform to the existing moral framework (which, like hammering a jigsaw piece into the wrong place, is unlikely to lead to an ideal

outcome) or to abandon the framework altogether, and in so doing to effectively excommunicate oneself from the profession.

6. Conclusions

In light of these various critiques, should the use of professional codes of ethics in design be entirely rejected and abandoned? Professional codes, as formalised documents, are legalistic and moralistic in nature. What this effectively means is that, while they can serve an aspirational function to a limited extent, their primary core function will always be to offer guidance within the boundaries of the existing moral framework whose values they seek to reflect (the professional convention). A professional convention itself may be fluid and constantly evolving, but professional codes are fixed documents which attempt to serve as reflections of current perceptions of these norms. These passive documents can themselves play no role in the development of fresh ethical reasoning. Where individuals or groups are developing and evolving design practice into new areas, professional codes may quickly come to be seen as redundant.

If professional codes of ethics are to be used within design as part of a strategy towards the development of more authentically ethical design practice, they must be properly recognised as merely reflections of the consensus of a group of designers operating within certain existing conceptions of professional practice. Without this recognition they may be uncritically presumed applicable to all areas of design practice, which may not in fact be the case.

Many situations and encounters fall outside of or in conflict with the existing knowledge and assumptions upon which existing professional codes are founded. In order to recognise and address the ethical implications of these, designers must possess an active ethical awareness and sensitivity (Buwert, 2016). The ability to be actively sensitive, aware and responsive to emergent ethical issues cannot be gained through subscription to the principles found in a written document alone. This practical ethical wisdom is something which must be cultivated and nurtured. Where this foundation exists, professional codes may play an appropriate and useful role in providing a reflective account of design's perceptions of its professional conventions. As one part of a wider range of conscious engagements with the ethical dimensions of design activity, professional codes can offer a positive contribution to the overall ethical health of design practice.

Many desirable effects can be seen in the use of codes. Subscribing to an ethical code allows an individual to measure their own activity according to the standards of the professional convention which the code claims to reflect. Codes seek to clarify, publicise, preserve, promote and enforce consensually agreed professional conventions as to what constitutes good practice in what might otherwise be an entirely unregulated field. In raising critical questions regarding the effects which ethical codes might potentially have on ethicality in design, it is important to be careful not to throw the baby out with the bathwater. The aim of this paper is to not to condemn use of professional codes, but to open up thoughtful consideration of the roles we see these documents playing within the larger eco-system of ethically motivated activity within the design professions.

7. References

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