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DESIGNED FUTURES

Design educators interrogating the future of design knowledge, research and education.

Towards a Pragmatic Code of Ethics for Design Research

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Abstract

Research ethics committees (RECs) at universities evaluate applications for ethical clearance through ethical research lenses shaped by positivist and interpretivist paradigms and cultural constructivist thinking. Such lenses predominantly follow reasoning strategies that could include inductive or deductive reasoning. Research ethics committees further interrogate applicants' methodology and monitor their actions to determine whether they meet extant research ethics principles.

Design, on the other hand, posits by its very nature the possibility of change in the world. As such it assumes an abductive reasoning stance, projecting from the known into the 'what could be'. This creation of the new is essentially a creative act. Yet such a creative act needs to fall within the domains of research as an academic enterprise. Thus, because design is intrinsically conceptual, its consequences are difficult to hypothesise. Yet research ethics committees need to assess design research proposals, despite the slipperiness of forecasting outcomes.

The purpose of this paper is, therefore, to offer potential ethical principles that speak to the needs of design research. In our attempts to develop such principles, we draw on pragmatism to locate the research project within the particular (the context, the participants, the time, and the problem to be solved).

Within this paradigmatic lens, we suggest four related approaches. Firstly, we accede to the utilitarian imperative of design, accept research ethics prerequisites such as beneficence and non-maleficence, and at the same time acknowledge the risk/benefit ratios. Secondly, we explore the role of Aristotle's eudaimonia as a philosophical concept that contributes to the greater good of a community and an individual. Our third approach is one of ethics of care that promotes community, relationships, and connections and, finally, we provide a nod to ubuntu and the United Nations Universal Declaration of Human Rights (UDHR).

From this engagement, we offer a potential code of ethics for design research. This code may provide research ethics committees with an appropriate lens through which to view and assess an application for ethical clearance.

Keywords: Research ethics, ethical principles, design research

Research ethics committees and ethical principles

The 7th International Design Educators Forum of Southern Africa (DEFSa) centred on ethics and accountability in design. Scholars from several universities in South Africa commented on and made recommendations regarding ethics in teaching, design, and research. There was a call to foster ethics and accountability in tertiary education, both with lecturers and students alike (Staden-Garbett 2015, p. 273); the ethics of lecturer accountability and team-mentoring (Le Cornu & Linde 2015); the ethical dilemma with intersubjectivity when interviewing a research participant (Groenewaldt 2015); an appeal for an ethical code (Munro 2011), a code based on non-maleficence (De Lange 2015); and the ethics of becoming more anthropocentric and using co-design (Barnes & Du Preez 2015). Rolf Gaede's (2015) paper is of particular relevance to the debates in this paper. He argues that the ethical screening of proposals for 'validity' as derived from medical ethics principles, may not be suitable for design disciplines, and specifically not for visual communication design research.

Given the above, this paper adds to the debate in this field by proposing how we, as design educators, can move towards a working and pragmatic code of ethics for design research.

The function of research ethics committees (RECs) is to evaluate research proposals and to provide ethical clearance before a study may proceed. Ethics principles are to protect all participants who might contribute to the research, the environment in which the research takes place and the use of animals in research. These principles further consider the potential results of a study, the benefit to society, and the research community. An ethics committee has the task to identify potential harm, to assess the risk, and to adjudicate whether such risk is warranted. RECs have to envisage results and work backwards and determine whether these results have been pursued in an ethically controlled manner. As such, they have to scrutinise a potential end product and the process of attaining that end product. RECs contribute to a university's integrity and act as important quality control instruments. Constituted RECs are furthermore independent, report to a university senate and are registered with the National Health Research Ethics Council (NHREC), a statutory body. Recent articles on the intellectual ability of coloured women and the intelligence of slave exports from Africa are examples of projects that did not undergo an ethics review process, and that affected the integrity of the university concerned (Nieuwoudt, Dickie, Coetsee, Engelbrecht & Terblanche 2019; Asongu & Kodila-Tedika 2019). Both papers are rightly criticised for their scientific flaws and that they stereotype certain groups of people.

In undertaking their task, RECs rely on several ethical principles, standards, and norms. These are historically based on ethics for medical research and are derived from universally acceptable codes and reports.¹ These basic principles include beneficence and non-maleficence, distributive justice, and respect for persons. RECs must interrogate whether the research processes (and products) will cause harm; who benefits from the research (the participants in their broadest sense, and the world); the benefits need to outweigh the risks involved in the process substantially; and of course, the rights of those involved in the research. Other variables, for example, include the scientific integrity of the work (the scholarship principle), and the competence of the researcher/s. Research processes are to deliver generalisable or transferable results, and only researchers with appropriate expertise and training should be allowed to conduct studies of a certain nature. These principles,

¹ See the Geneva Declaration (1948), the Helsinki Declaration (1964), the Nuremberg Code (1947), and the Belmont Report (1978).

standards, and norms are aptly described in an National Health Research Ethics Council (NHREC) publication (Department of Health South Africa 2015).

Our question and the purpose of this paper

According to which philosophical positions are these ethical principles applied? In other words, in approaching, for example, the non-maleficence principle, according to what ontological stance are judgements made? This paper sets out to suggest several these positions but does this specifically by considering research that emanates from design disciplines. We turn to the design domain because of one crucial difference between design research and other research. 'Other research' – referring here to research that follows positivist or interpretive methodologies – presents several characteristics. These approaches state the intended outcomes, whether by hypotheses or by objectives; the research processes (sampling, data gathering, and analysis) follow standard procedures; the outcome (that is the 'new knowledge') does not necessarily have the potential to impact the world directly; and sets out to either describe or explain the variable under investigation. Therefore, such positivist or interpretive research, innovative as it may seem, may stop short of direct intervention in the world. Basic research provides descriptions of extant problems, explores and theorises the potential reasons for these problems, and offers solutions. Such solutions are seldom tested, using the discipline-authorized processes.²

Design's very *raison d'être* is to present the possibility of an intervention in the world. The purpose of design is to engage with the world in such a way that potential changes and improvements in the world can be creatively envisaged, planned and then offered as potential solutions to existing shortfalls or problems in the world. Whereas some professional designers adhere to a code of professional practice, such codes can at times be seen to conflict with accepted ethical principles. Professional codes of conduct³ usually emphasise a designer's relationship with its professional body, its clients and competitors and, for example, do not necessarily consider the privacy or the autonomy of a consumer.

All research at universities needs to go through a rigorous process to obtain ethical clearance. However, using existing ethical research considerations (that engage with the process and product assessment, where the assessment is only about 'new knowledge') runs the risk of applying limiting decision-making approaches that are rooted in 'other research'. The purpose of this paper, therefore, is to offer potential ethical principles that speak to the needs of design research.

When we speak of 'design research', we are not speaking of research done on the processes of design. To a large extent, this is covered by 'other research' protocols. Nor are we engaging with the history of design. The creative nature of the design process, as and at the proposal stage, is rather scattered and not delineated. This process asks 'How can I (X), the designer, design an artefact or product (Y) to meet and solve the requirements of various stakeholders

2 The reasons for this are manifold. Some suggest that the purpose of research at universities is to define and articulate problems so that others can attempt solutions. Some point to the historical trajectory of research to confirm that solving problems has not been the ambit of traditional universities – solving problems is the ambit of 'development' in the research and development domain. Perhaps the most prosaic reason is that to test the efficacy of a solution takes too long, thus running counter to the demands to publish research outputs as part of the university research game.

3 For a few examples, see the Canadian code of conduct (<https://gdc.design/ethics/code>); the North American code of conduct (<https://www.aiga.org/code-of-conduct>) and the International Council of Design's code of conduct (https://www.ico-d.org/database/files/library/icoD_BP_CodeofConduct.pdf).

(Z) including, for example, client, community, 'target market' and/or audience? Immediately, we see from a traditional scholarship point of view, a deficiency of the method, no clearly envisaged outcome (except 'a solution') and nothing that is innately generalisable or transferable. Within this context, our paper interrogates ethical questions around abductive design research aimed at producing creative products to be 'inserted' into a community (and consequently the world).

Ontological positions

Seeing as the research community at large accepts these, we stand by the ethical principles offered at the beginning of this paper. We further propose, as a way of developing our ethical code for design research, for a different approach to understanding the ontological positions that RECs may adopt to strategise ethics principles. To achieve this, we first need to engage with the notion that design research (as delineated) is 'emergent, potentially parochial, problem-specific, current and context-bound'. This we do by drawing on and acknowledging pragmatism as a philosophical approach. Within such a pragmatic approach, we then offer four ontological positions, namely utilitarianism, and with it *eudaimonia*, ethics of care, and finally a nod to ubuntu and human rights. We conclude with a possible ethical code for design research.

Before approaching pragmatism, we wish to mention two more points: the nature of creativity (as a mode of work in design), and the nature of 'creative destruction' (Schumpeter 1942). In the case of creativity, we offer the model that Sawyer (2012) presents, namely that, in the act of creative endeavour, three dynamics are at work. Firstly (and the one most recognised) is the presence and working methods of the designer, who operates seemingly on creative and idiosyncratic 'instinct' and 'talent'. Sawyer suggests, however, that this is guided, tempered and underpinned by the remaining two dynamics, namely the current nature, strategies and materials present in the practice of the discipline in which the creative actor is operating (known as the 'domain'), and the current and accepted practices of adjudication, gate-keeping and expectations (known as the 'field'). Thus, any design is a product of the three dynamics working together. The key here is that the designer's instinctual process is current, contextual and moulded to, given direction by and dictated by the discipline. The product that materialises from these interactions is then seen as 'innovative' and which subsequently leads the argument to the notion of 'creative destruction'. For any innovation to be accepted as such, it has to do one of two, interwoven, things. It has either to address a problem that has never been addressed (or has not been addressed in that way) before or, fundamentally, it has to replace something, thereby confining the replaced article to the scrapheap of history.

Pragmatism is a philosophical position that engages with the immediacy of a particular problem that needs solving or explaining. As such, it suggests that a problem needs to be described and delineated in and for its presence, merits, and shortfalls. Pragmatism acknowledges the inherent context and contemporaneity of the problem, the systems that brought about the problem and the systems brought to bear to attempt a solution to the problem. It also, therefore, inevitably acknowledges the context and contemporaneity of the solution. Pragmatism further resonates with the notion of creative destruction, in that it accepts that a more innovative solution may be found should context and time change. In this position, we can see the research demands of generalisability or transferability, as the process is very specific. One can also see the research ethics potential for beneficitation.

Thus, from a research ethics point of view, one would need to consider the context and contemporaneity of the problem, but one would also need to consider the distinctive role of the designer in the process. It is at this point that the ontological positions come to bear. We

start with utilitarianism, as it seems to us to offer a way into the research ethical and pragmatic concerns that have been raised.

Utilitarianism, developed originally in the writings of Jeremy Bentham (1748–1832) and David Hume (1711–1776), posits the notion of societal interaction that should focus on the development of human flourishing. Human flourishing has several synonyms attached to it: the pursuit of happiness, well-being, personal and societal growth, and the human good. However, if one person flourishes, can this be seen as lesser flourishing (or loss) for those who give to allow others to flourish? Should all flourish equally? And are we required to give up something to allow others to flourish? We posit that one misinterpretation of utilitarianism, from a research ethics principle, lies in the idea that society should operate from the ‘ethical’ principle of ‘the greatest good for the greatest number’.

From utilitarianism, the central imperative is for the pursuit of human flourishing, well-being and human happiness. Sam Harris, in his book *The Moral Landscape: How Science Can Determine Human Values* (2010) has much to say on the pursuit of happiness as a cardinal, scientifically proven and universal attribute worth pursuing by all. Aristotle offers that the purpose of life is to lead a *eudaimonic life* or ‘the good life’. Here ‘good’ refers to that which is both morally upright and pleasant. To achieve this ‘good life’ one requires two characteristics. Firstly, one needs to live virtuously, and secondly one needs *phronesis* or ‘practical wisdom’.

Furthermore, Aristotle’s sense of the virtues offers, for our argument, some insight into how the research designer should behave, as well as how the design artefact may contribute to the virtues of the receivers of the product. This suggests that part of the ethical evaluation of a design research project could be based on how the product targets such virtues with a view on enhancing them. However, noting that human flourishing relies on practical wisdom is useful, as it adds the ethical component to the pragmatic argument. Thus, the researcher designer’s project is based on practical wisdom (as both a researcher and designer) but the intervention planned should also be based on the practical understanding of the receivers of the intervention. Therefore, potentially, one of the REC sets of interrogations might centre on how the planned project is set up to enhance the receiver’s practical wisdom that can lead to ethical human flourishing. In this, we see the seeds of anthropocentric design approaches.

The argument thus far has identified and highlighted some principles that would assist a REC in making ethical value judgements on a proposed design project. These principles are encapsulated in the final two ontological positions that bring the strands together. These are the philosophical position of Ethics of Care and considering ubuntu in relation to Human rights.

Ethics of care (EoC) posits a context-bound, relationship-based approach to morality theory, emphasising care as a virtue, and reflexive understandings of human relationality, interdependence and interconnectedness as an adequate guide to resolving conflict. Within this context, ‘care’ can be considered (in opposition to traditional notions of justice, which favours fairness and equality to all parties) a form of unequal benevolent ‘labour’ between a caregiver and a potentially more vulnerable receiver of care, as a unique relationship, involving varying degrees of dependence and interdependence. Historically rooted in a feminist conception of moral theory, care ethics developed as distinct from traditional male-biased moral approaches in the work of feminist authors Gilligan, Noddings and Tronto, among others. Gilligan (1993, p. 100) contrasts ‘masculine’ justice-based abstract conceptions of morality tied to universal rights and rules (ethics of justice) with ‘feminine’ moral understandings, based on the particularities of contextually sensitive and narrative-based relationships and responsibilities (ethics of care). Though Gilligan’s work has been criticised (for gender-based essentialism), the value for this paper lies in her emphasis of reflexive interdependent care-based human relationships. Building on previous work with Bernice Fisher, Joan Tronto (1993, p. 127-136) provides four integrated elements for EoC –

attentiveness, responsibility, competence and responsiveness. *Attentiveness* refers to sensitivity of awareness that could lead to potential recognition of a need to be cared for; in opposition to ignorance (ignoring) or inattentiveness of human need. *Responsibility* as a sociological and anthropological term is rooted in a flexible notion of collective cultural practice and is differentiated from a legal or political notion of 'obligation' based on 'rules'. *Competence* aligns with moral consequentialism and refers to the practical ability of the caregiver to ensure that the obligation of care can, in fact, be practically and adequately carried out. It is not enough to intend to provide care or to accept a care-giving role, and competence can be considered as the extent to which the activity of care-giving meets the needs of the care-receiver. *Responsiveness* takes into account the vulnerability and inequality inherent within care contexts, requiring alertness to imbalances of power dynamic, for instance, where caring potentially disintegrates into condescension. Instead, responsiveness requires respectful attentiveness of another's particularity of position and situation, limiting reflexive interpretations and 'projection', avoiding generalisations and challenging the notion that people and situations are interchangeable.

Traditionally, RECs as gatekeepers to the research domain, assume dominant power positions, while researchers need to find ways to gain approval to conduct research. Conversely, considering RECs and research designers as being on the same side (not as 'us versus them') and taking into account Tronto's 'responsiveness', RECs could be conceived of as operating from an overarching position of 'giving' care. This position is more generalised and abstract rather than active and personal, drawing on Noddings's (2002, pp. 21-24) differentiation between two stages of caring in care ethics – 'caring-for' and 'caring-about'. Noddings's notion of 'caring for' is particular – a practical and active instance of physically providing a caring service, within the context of a unique personal relationship, while 'caring-about' is a more generalised subjective position – a 'way of being', involving caring thoughts and intents. Practically, 'caring-about' may motivate a charity donation without necessarily engaging in the personal act of providing care and assistance in a relationship context. In this way, care starts with the particular and then becomes generalised – "learning first what it means to be cared for, then to care for intimate others, and finally to care about those we cannot care for directly" (Noddings 2002, p. 31). Although both caring positions are valid, we suggest that the mode of 'caring for' – as an active and dynamic participatory mode of human relationship – be considered as an essential ethics measure within the context of design research. Crucial within these types of relationship dynamics are issues of power. The power dynamics between the designer and stakeholders, e.g. the community, are more nuanced and complex. Traditional positivistic research paradigms construct the researcher as an expert subject and the community as passive objects. EoC-focused design research potentially shifts relational dynamics between the designer and community towards cooperative engagement where 'we and us' are interdependently invested in the conception, production and implementation of a meaningful, relevant and useful design artefact as outcome.

For EoC, particularity and reciprocity are key features in care-based relationships. Likewise, in design research, every research problem brings a unique set of circumstances and relational dynamics. From this, the idea that design research ideally builds on local knowledge and practice (i.e. parochial and specific) is not only pragmatic, but we suggest, is ethical. The ethical evaluation of a design research project then potentially involves questions regarding how a creative product can be cooperatively designed and 'implemented' (rather than be 'inserted') within a community – thus be conceived of as an outcome of interdependent reflexive care-based relationships within a community of practice. Linking with an idea earlier, we also see the divisions between designer and community (and stakeholders) – between 'I', 'us' and 'them' – purposely dissolved and replaced with the deliberate conceptualisation of design research practice as a care-based communal activity. We suggest that EoC, firmly grounded in

Tronto's four elements of care, provides important codes for framing the ethical issues around design research.

Intertwined with utilitarianism, ethics of care, and Aristotle's eudemonia, we find the ubuntu philosophy (Chmela-Jones 2015) that emphasises community relationships, and the United Nations Universal Declaration of Human Rights which favours individual freedoms. Traditionally, the protection of human rights has been cast in the mould of protecting the individual (and, following this, the communal, but in that order). Such 'protection' has been theorised from the position of basic freedoms that have the potential to impede the individual from full human flourishing. Thus individual freedoms have been couched in terms of 'freedom from' something that obstructs the flourishing – freedom from oppression, freedom from hunger, thirst, suffering, freedom from restrictions on living, education, and the like. We suggest, however, that an ethics of care might encourage a different construction, namely the 'freedom to do' (something). Thus, the notion of the individual's freedom to pursue happiness, to pursue wealth, prosperity, security, self-actualisation, and so on. Viewed in this manner, human rights are conceived of less through an obstructionist lens, and more through an empowerment lens. If this holds, then the design research project should engage with removing obstacles/obstructions, but also engage with empowerment. Evidence of the pursuit of this objective should be present in the research proposal.

However, and following the argument we have made here, individual (and connected community) rights and the pursuit of flourishing should not, ethically, be at the expense of others. In this, a turn to ubuntu opens the argument both to the parochial and communal, but also to the individual, because, as Chmela-Jones (2015) argues, drawing on a wide range of sources, ubuntu embeds dynamics of reciprocity, perhaps best concretised in the notions of kinship. These two notions point to the dynamics that suggest that each individual's flourishing is both dependent on, and empowered by, the reciprocal flourishing of kin. Thus, the individual flourishes because of the village (for example) flourishes, and the village flourishes because of the individual flourishes. Therefore, the rights of the individual are closely knit with the rights of all individuals, and, following the empowerment argument, co-dependent on all having access to the same freedoms and rights.

If this argument holds, then the design research proposal, from an ethical research point of view, needs to provide evidence that the research has identified the potential breakdown in individual freedoms, has posited a strategy of designerly care to engage with the removing of those obstacle to (a particular) freedom, has sought to empower the care receiver (in the spirit of Ubuntu), has embedded the project in the pursuit of human flourishing (now potentially seen as developing 'freedom to do something in the pursuit of communal human flourishing'), and has put systems in place to fully explore the care-giver (designer) and care-receiver (community of potentially empowerable individuals) domains relevant to this particular project.

The pragmatic triad of utilitarianism, ethics of care, and eudemonia – moderated by community relationships and individual freedoms – provides a framework for a code of ethics for design research.

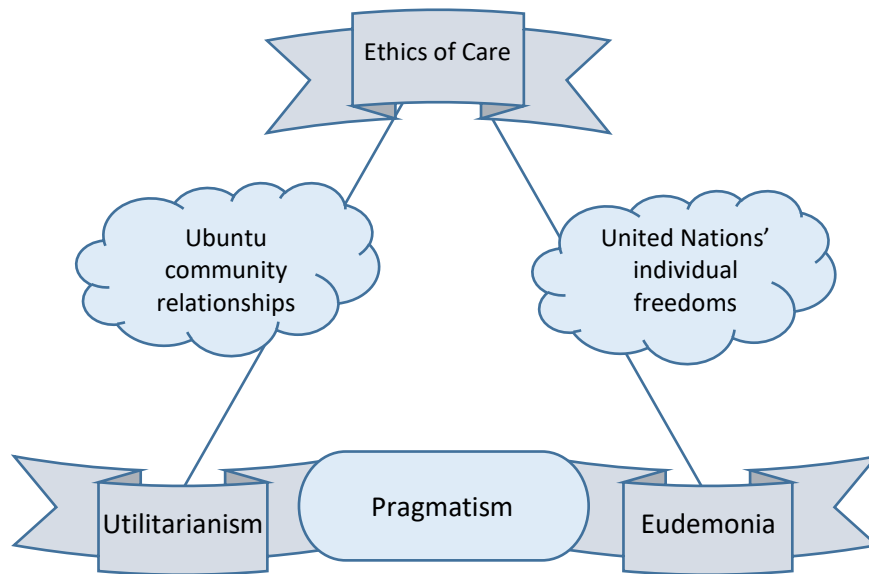


Figure 1: A graphic representation of a proposed framework for a code of ethics for design research

Concluding comments

The three principles that we propose focus on a pragmatic outcome. These principles add to existing research ethics principles and emphasise beneficence,⁴ the doing of good,⁵ and the improvement of the human condition. These principles may appear to be similar to medical research ethics, but the angle of incidence is different. Medical ethics, in general, protects the participant and the source of the data, while design ethics provides an artefact to improve the condition of the participant.

The approach of ethics for design research concerns the improvement of the human condition. The outcome presents a tangible and ideally an immediate benefit to the participants. Participants are no longer just the source of data for research, but become the beneficiaries of the research outcomes. The focus is on the participant as the recipient of the study. It is here where the abductive reasoning process plays a role. Design research considers several related and non-related variables (participant-derived data is but one) to conclude, and the final artefact. There is thus always the uncertainty, the converse error in design research. As an example, an appropriate health care communication leaflet could contribute to minimising the spread of tuberculosis (the outcomes of a design research project), but if and when the spread is minimised, it may not be entirely due to the leaflet, or may not even be due to the leaflet at all. The error in design research of inferring that the intervention will or has improved the actual human condition, the uncertainty, will always remain.

If and when human flourishing and a caring approach guide our ethics in design research, should we move away from basic research and emphasise applied research? The recent

4 There are areas of research in design and related fields where the focus may not be on direct beneficence of (un)willing participants, such as design activism, social documentary photography and investigative journalism. Here the utilitarian principle plays a dominant role.

5 In terms of doing good, see the 2017 Montréal Design Declaration "Recognition of Design: by leaders, decision-makers and influencers across all sectors of society, of the value of design, and need to foster and implement design for the greater common good".

decision of the Department of Education to provide subsidy for practice-based research makes this an attractive opportunity.

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