Chapter 3
Ethical Issues in Research

⌄ Learning Objectives

After studying this chapter, you should be able to:

3.1 Explain why questionable research practices involving humans signaled the need for regulation.

3.2 Determine how informed consent and implied consent are obtained in research.

3.3 Outline how confidentiality and anonymity are maintained in research.

3.4 Recognize the need for securing research data.

3.5 Report classic cases of work where researchers violated ethical standards.

3.6 Examine how the duties of institutional review boards safeguard the well-being of human subjects.

3.7 List codes of ethical conduct.

3.8 Report ethical concerns in behavioral research.

3.9 Examine two areas of ethical concerns in the anonymity of Web-based data-collection strategies.

3.10 Recall the importance of careful research design.

3.11 Analyze the need to safeguard against academic fraud in research.

3.12 Recognize the importance of ethical consultants in protecting the well-being of research subjects.

3.13 Identify the reasons why researchers violate ethical standards

---

Social scientists, perhaps to a greater extent than the average citizen, have an ethical obligation to their colleagues, their study populations, and the larger society. The reason for this is that social scientists delve into the lives of other human beings. From such excursions into private social lives, various policies, practices, and even laws may result. Thus, researchers must ensure the rights, privacy, and welfare of the people and communities that form the focus of their studies.

During the past several decades, methods of data collection, organization, and analysis have become more sophisticated and penetrating. As a consequence, the extent or scope of research has greatly expanded. Apart from the research world, the amount of visible information concerning any of us, and the powers to surveil people's lives, has increased far more. With this expansion of both the reach of research and the paucity of privacy has come increased awareness and concern over the ethics of research and researchers.

To a large extent, concerns about research ethics revolve around various issues of harm, consent, privacy, and the confidentiality of data (ASA, 1997; Punch, 1994, 2005). We are also concerned with honesty, integrity, and the responsible reporting of the data. Whereas the first set of concerns reflects ways in which specific people may suffer harm from poor research practices, the second list reflects the more general matter of professional conduct. This chapter considers all of these important ethical concerns as associated with research in general and with qualitative research in particular.

Among the fundamental tenets of ethical social scientific research is the notion of *do no harm.* This quite literally refers to avoiding physical and emotional (or psychological) harm. As Babbie (2007) suggests, few people would seriously disagree with this basic concept, in principle. Sometimes, however, it is difficult to follow absolutely in practice—difficult but not impossible.

For example, researchers eager to gain access to some population that might otherwise be difficult to reach may pride themselves on their clever plans to locate a hidden population without recognizing the ethical implications of their actions if they involve deception or invasions of privacy. Some overly zealous researchers, while realizing that certain of their practices may be unethical, nonetheless plunge forward, justifying their actions under the excuse that it isn't illegal! And some otherwise sensible researchers, desperate to produce some results before their funding runs out, might feel the pressure to cut some corners. Most often, I strongly suspect, ethical failures occur due to carelessness, or the simple fact of not having worked out all the details of one's research design in advance.

Many experienced researchers can tell with regret war stories about having violated some tenet of ethics in their less-experienced years. The transgression may have involved allowing some gatekeeper to manipulate subjects to take part in a study (under veiled threat of some loss of privilege), or it may have involved some covert investigation that resulted in subtle invasions of privacy. In any case, these now experienced researchers are still likely to feel somewhat embarrassed when they think about these instances—at least one hopes they do.

Often, glaring violations of ethical standards are recognized nearly as soon as the researchers have conceived them. Frequently, during planning stages, particularly when conducting research together with colleagues, ethical problems are identified and worked through. This is not to say that practices that might appear unethical to others outside the study are always eliminated. Rather, the process, like much of qualitative research, is a negotiation, in this case a trade-off for the amount of access to subjects the researchers are willing to accept in exchange for the amount of ethical risk they are willing to take.

It is not difficult to understand that injecting unknowing subjects with live HIV (the AIDS virus) is unethical. It may not be quite as easy to see that studying pickpockets and then turning over their addresses and field notes as evidence to the police is also unethical. This latter example is somewhat more difficult to see because a law-abiding attitude is probably so well ingrained in most researchers that the logical response seems obvious—namely, if citizens can prevent criminal behavior, they have a moral obligation to do so. However, precisely because such tensions between logic and ethics exist, careful consideration of ethical issues is critical to the success or failure of any high-quality research involving humans.

The first portion of this chapter examines some of the historical background of research ethics, including some of the major events that influenced current ethical research practices. Ethical elements commonly considered important when researchers involve human subjects in their research are then addressed.

3.1: Research Ethics in Historical Perspective

3.1   Explain why questionable research practices involving humans signaled the need for regulation

Contemporary discussions on research ethics run a wide gamut from highly procedural approaches (trying to find the right set of rules) to highly conceptual, such as feminist, postmodern or postcolonial concerns with the objectification of "the subject" in research or the institutionalization of the dominant group's version of reality. Regardless of one's orientation or thoughts on specific elements of ethical behavior and practice, there is general agreement in the literature that current concerns with research ethics grew out of biomedical research, particularly the ghoulish torture and dismemberment perpetrated under the guise of medical research by Nazi physicians and scientists during World War II. For instance, in the name of science, physicians exposed subjects to freezing temperatures, live viruses, poisons, malaria, and an assortment of untested drugs and experimental operations (Berger, 1990; Burns & Grove, 2000; Hagan, 2006; Trochim, 2001). This wartime medical research led to the formation of the Nuremberg Code in 1949. This code established principles for research on human subjects, most notably, that subjects must *voluntarily consent* to participate in a research study (Wexler, 1990, p. 81).

This ethical canon became the foundation of the Declaration of Helsinki, adopted by the World Health Organization in 1964 and revised in 1975 (Levine, 1986). It was also the basis for the "Ethical Guidelines for Clinical Investigation" adopted by the American Medical Association in 1966 (Bower & de Gasparis, 1978). Yet, as Katz (1972) has indicated, years later and thousands of miles away from the bloodstained walls of Nazi operating rooms, extremely risky—sometimes fatal—research was being carried out on unknowing patients here in the United States. Consider, for example, the case of two research physicians at the Brooklyn Jewish Chronic Disease Hospital, who during the mid-1960s injected a suspension containing live cancer cells into 22 unsuspecting

elderly patients (Levine, 1986). Although media and public pressure brought an end to the experiment, neither physician was ever prosecuted on any criminal charge (Hershey & Miller, 1976).

Interestingly, before the 1960s, few laws regulated the research process. Consequently, no legal redress was available to subjects, even if they had been wronged by a behavioral scientist. Highly questionable practices in research throughout the late 1950s and 1960s repeatedly demonstrated the need for regulation and control of studies involving human subjects.

For instance, the U.S. Public Health Service (PHS) once conducted a study that is regarded by many as the most glaring violation of ethical practices. This project has come to be called the Tuskegee Syphilis Study (Brandt, 1978; Gray, 2002; Hagan, 2006; Jones, 1993). This project, which spanned more than 40 years, was a longitudinal study whose purpose was to identify a population of syphilitic men and to observe in these subjects, over a period of time, the consequences of untreated syphilis. Although the researchers on the study did not themselves infect the subjects, once the study had begun, the investigative team actively interfered with the lives and health of the subjects, all of whom were black, without their consent (Jones, 1993). The study began in 1932 when no cure for syphilis existed. After a cure (penicillin) was identified in the 1950s, the research team actively sought to keep the existence of the treatment from their subjects. This included offering free so-called treatment and health services to the sample of men, as well as contacting local African American physicians and instructing them not to treat (for syphilis) any of the 400 men involved in the study.

To ensure that an autopsy could be done on any subject who died during the experiment, the team offered free burial services. Surviving family members typically were unaware that free burial was conditional on allowing an autopsy. The study ended in 1972 after it was exposed by the news media, and public pressure forced officials to terminate the study. Yet, the study had not been conducted in secret until then. Questions were raised in the 1960s, leading to endorsements of the project by the Centers for Disease Control and the American Medical Association (CDC, 2009). Following the public exposure of the study in 1971, the Department of Health, Education, and Welfare (the parent agency of the U.S. Public Health Service) appointed a panel that concluded that the research had been "ethically unjustified." The study was ended at that point in time.

On May 16, 1997, 65 years after it had begun—and 23 years after it had ended—President Clinton publicly apologized to the families of the subjects and the surviving subjects in the Tuskegee Syphilis Study (Clinton, 1997). It would be comforting to imagine that this one study was

an aberration, a one-time failure of epic proportions, but this is not the case. In fact, it was recently discovered that a second syphilis study was conducted in Guatemala by researchers working for the U.S. government (Reverby, 2011). While the Guatemalan study lasted only two years, it was in many ways more egregious in its design. Mental patients, prisoners, and soldiers were deliberately exposed to syphilis (with the cooperation of infected prostitutes) in order to test the effectiveness of penicillin. Significantly, both of these studies targeted people of color. Although the government's official apologies in 1997 and 2010 were an important step toward repairing the breach of faith inflicted on these communities, the "negative legacy" of the Tuskegee study continues to impede researchers' efforts to conduct an assortment of research projects, particularly those involving minorities (Shalala, 1997). As Harlan Dalton noted in the 1980s, efforts to study and prevent the transmission of HIV among African Americans had to fight against "the deep-seated suspicion and mistrust many of us feel whenever whites express a sudden interest in our well-being" (Dalton, 1989, p. 211).

3.1.1: Regulations in the Research Process

Early attempts within the American political system to devise rigorous biomedical experimentation guidelines failed. One major reason was the inability to develop a single code of ethics that, as Bower and de Gasparis (1978, p. 5) put it, "could cover with equal adequacy and flexibility the entire range of biomedical experimentation." However, in 1966, the U.S. Surgeon General issued what may have been the first official rules concerning all PHS research. This statement specified that any research financially supported by the PHS was contingent on a review by an institutional committee. The committee was charged with the responsibility of ensuring that study procedures would not harm human subjects and that subjects were informed of any potential risks (and benefits) from their participation.

Several revisions of this general policy occurred from 1967 to 1969. Finally, in 1971, the U.S. Department of Health, Education, and Welfare (DHEW) published a booklet entitled *The Institutional Guide to DHEW Policy on Protection of Human Subjects*, which extended the requirement of an institutional review committee to all DHEW grant and contract activities involving human subjects. In addition, this booklet required researchers to obtain *informed consent* from subjects before including them in the research.

In 1974, the National Research Act was passed by Congress, and the National Commission on Protection of Human Subjects of Biomedical and Behavioral Research was created by Title II of this law. The National Research

Act directed all institutions that sponsored research to establish institutional review committees, today more commonly called *institutional review boards* (IRBs). Locally based in-house IRBs were now charged with the responsibility of carefully reviewing any proposed research that involved human subjects.

Among several other issues, IRBs were expected to ensure that research investigators had considered both potential risks and benefits to subjects, that important scientific knowledge could be derived from the project, that legally informed consent would be obtained from each subject, and that the rights and interests of subjects were protected (Liemohn, 1979; W.H.O., 2002).

Another important piece of research-related legislation is the education amendments of 1974. These laws, better known as the Buckley Amendment (also called the Family Educational Rights to Privacy Act), were intended to protect the privacy of parents and students (Holden, 1975; U.S. Department of Education, 2007). In essence, these laws limited access to official records concerning (and identifying) an individual, and they prohibited release of such personal information (with some exceptions) to anyone else without written consent of the student (and the parent in the case of minors).

Finally, the Privacy Acts of 1974 offered additional legal assurances against invasive research on human subjects. This legislation was primarily designed to protect citizens from large private corporations and federal institutions and from the release of potentially erroneous information and records. In addition, however, it provided individuals with judicial machinery for redressing indiscriminate sharing of personal information and records without prior written consent—including when obtained by deceptive researchers. A fair number of these regulations are informally overseen by IRBs. We will consider IRBs in greater detail later in the chapter.

3.2: Informed Consent and Implied Consent

3.2 **Determine how informed consent and implied consent are obtained in research**

Issues surrounding informed consent grow out of the concern to avoid—or at least identify and articulate—potential risks to human subjects. Risks associated with participation in social scientific research include exposure to physical, psychological, legal, or social injury.

Informed consent means the knowing consent of individuals to participate as an exercise of their choice, free from any element of fraud, deceit, duress, or similar unfair inducement or manipulation. In the case of minors or

mentally impaired persons, whose exercise of choice is legally governed, consent must be obtained from the person or agency legally authorized to represent the interests of the individual.

In most institutionally sponsored research, consent must be ensured in writing. Typically, *informed consent statements* contain a written statement of potential risks and benefits and some phrase to the effect that these risks and benefits have been explained. As a rule, these statements are dated and signed by both the potential subject and the researchers or their designated representative. It is usual for the researcher to briefly explain the nature of the research in this informed consent document, as well as offer an assurance of confidentiality and protection of the participant's anonymity. An example of a formal informed consent form is shown in Figure 3.1.

There are chiefly two rationales behind the requirement to obtain signed informed consent statements. First, they systematically ensure that potential subjects are *knowingly* participating in a study and are doing so of their own choice. Second, signed consent slips provide IRBs a means by which to monitor (by examining signed statements) the voluntary participation of subjects. Typically, signed informed consent slips are maintained by the researcher in a secure location for a period of three years. After this time, they should be destroyed.

Obtaining a signed informed consent slip, as may be obvious, presents in itself a slight ethical dilemma. A written record of the subjects' names (and frequently their addresses as well) means that a formal record of participants exists. In order to preserve privacy, these slips are usually kept locked away by the principal investigator(s) and are revealed to IRBs only if questions arise concerning ethical practices in a given study.

Sometimes in large-scale survey questionnaire studies, separate signed informed consent slips are eliminated and replaced with implied consent. *Implied consent* is indicated by the subject taking the time to complete the questionnaire. In these circumstances, explanations of the study's purpose and potential risks and benefits are provided at the beginning of the survey.

A similar kind of implied consent can replace a signed consent statement when researchers conduct tape-recorded in-depth interviews. In this instance, the interviewers fully explain the nature of the project and the potential risks and benefits at the beginning of each interview. Next, the interviewers ask the subjects if they understand the information and are still willing to take part in the interview. Affirmative responses and completed interviews serve the purpose of implying consent in the absence of a signed consent slip. The benefit of this particular style of informed consent is the elimination of any record of the subjects' names. This procedure is particularly helpful when interviewing people who might otherwise refuse to take part

Figure 3.1 Example of Informed Consent Form

You are being asked to take part in a research study concerning the use of graphic images in government-funded antismoking campaigns.

This study is being conducted by the <name of college> department of sociology and department of public health. The principal investigator is <name>. Questions about this study may be directed to <name> at <contact information>. Questions or comments about your rights as a study participant may be directed to the institutional review board at <other contact info>.

You have been selected to take part in this research by random selection from a list of addresses within walking distance of <a local landmark>. Your participation is important to this research and we appreciate your taking the time to help.

You will be asked to view a series of images, some of which may show damaged lungs, throats, and other body parts in graphic detail. You may find these images disturbing. You will be asked to discuss these images, as well as questions about your lifestyle habits including diet, exercise, smoking, and drinking. In addition, you may be asked questions about your family's health and habits.

Your responses will be kept confidential by the researchers, and no one outside of the research team will see them. No individually identifying information will be reported. Names, dates, and locations will be suppressed or pseudonyms will be used.

Your participation is voluntary. You do not have to provide any-information that you do not wish to provide, or answer any questions that you prefer not to answer. If, at any time, you decide not to continue, you may simply say so and the interview will be terminated. At the conclusion of the interview, you will be given a Metrocard to cover your travel costs. You will receive this whether you complete the interview or not.

By signing below, you indicate that you have read and understood what is being asked of you, and that you consent to participate.

Participant:

_____   _____   _____
       name   *signature*   *date*

Interviewer:

_____   _____   _____
       name   *signature*   *date*

in a study. To a large measure, this type of implied consent is related to the next topic—namely, confidentiality and anonymity.

Warning! Many inexperienced researchers, and quite a few experienced ones, have difficulty deciding how much information constitutes *informed* consent. This difficulty frequently presents itself in one of two ways, each of which seriously undermines the research process.

Undersharing: I have often seen research proposals written by students or others in which the investigator states that "there are no risks from participating in this study." Such a statement is almost guaranteed not to be true, and will rarely pass an IRB review. I expect that much of the time the researcher really means to say that "there are very few risks involved, most of them are pretty trivial, and I have already thought of how to handle them so that it won't be a problem." With a few careful changes in wording, that could almost be your statement of risk. Specifically, you

need to *inform* your subjects of your intentions: What topics will you discuss? What actions will they be expected to perform? Who will view, read, or hear their parts? The informed consent statement identifies potential risks or harms, and specifies the means by which the risks are being managed.

Oversharing: This one is kind of subtle. The subjects need to know what will be asked of them, but they don't need to know why. More to the point, if you reveal your actual hypothesis in the consent statement, then you have already invalidated the research. Consider an example. I might be interested in whether voters who hold "liberal" or "conservative" positions on one item, such as crime control, are likely to actually invoke liberal or conservative philosophies when explaining their positions. That is, do they really consider themselves liberals or conservatives, or do they come to these specific positions by some other path of reasoning or values? For a consent

statement to conduct interviews, I do need to tell subjects that I will be asking them to discuss and explain their positions on certain questions that might be considered politically controversial. But I do not need to tell them that I am trying to relate those positions to specific ideological positions. If I were to tell them this, then I would be leading the subjects to answer in the way that I expect, rather than just letting them talk. This would undermine the whole study. For reference, this same point applies to naming your study. A consent statement titled "The Persistence of Hidden Racism," for example, will kill the project before it even begins.

3.3: Confidentiality and Anonymity

3.3 **Outline how confidentiality and anonymity are maintained in research**

Although *confidentiality* and *anonymity* are sometimes mistakenly used as synonyms, they have quite distinct meanings. *Confidentiality* is an active attempt to remove from the research records any elements that might indicate the subjects' identities. In a literal sense, *anonymity* means that the subjects remain nameless. In some instances, such as self-administered survey questionnaires, it may be possible to provide anonymity. Although investigators may know to whom surveys were distributed, if no identifying marks have been placed on the returned questionnaires, the respondents remain anonymous.

In most qualitative research, however, because subjects are known to the investigators (even if only by sight and a street name), anonymity is virtually nonexistent. Thus, it is important to provide subjects with a high degree of confidentiality.

Researchers commonly assure subjects that anything discussed between them will be kept in strict confidence, but what exactly does this mean? Naturally, this requires that researchers systematically change each subject's real name to a pseudonym or case number when reporting data. But what about changing the names of locations? Names of places, stores, or streets, in association with a description of certain characteristics about an individual, may make it possible to discover a subject's identity (Babbie, 2007; Gibbons, 1975; Morse & Richards, 2002). Even if people are incorrect about their determination of who is being identified, the result may nonetheless make people wary of cooperating in future research. Researchers, therefore, must always be extremely careful about how they discuss their subjects and the settings (Hagan, 1993, 2006; Hessler, 1992). It is also common to assure confidentiality in the formal informed consent form (see preceding discussion and Figure 3.1).

3.3.1: Keeping Identifying Records

It is not unusual for researchers, particularly ethnographers, to maintain systematically developed listings of real names and pseudonyms for people and places. As discussed in detail in Chapter 6, the use of such systematic lists ensures consistency during later analysis stages of the data. However, the existence of such lists creates a potential risk to subjects. Although court battles may eventually alter the situation, social scientists are presently unable to invoke professional privilege as a defense against being forced to reveal names of informants and sources during criminal proceedings. Under normal conditions, lists of names and places can be subpoenaed along with other relevant research notes and data.

3.3.2: Strategies for Safeguarding Confidentiality

In effect, researchers may be placed in an ethical catch-22. On the one hand, they have a professional obligation to honor assurances of confidentiality made to subjects. On the other hand, researchers, in most cases, can be held in contempt of court if they fail to produce the materials. Still, investigators can take several possible steps to safeguard their reputations for being reliable concerning confidentiality.

First, as discussed in Chapter 6, researchers may obtain a Federal Certificate of Confidentiality. Under provisions set forth as conditions of award, investigators cannot be forced to reveal notes, names, or pertinent information in court. Unfortunately, few of the many thousands of researchers who apply are awarded a Federal Certificate of Confidentiality.

A second approach, which is more effective, is to avoid keeping identifying records and lists any longer than is absolutely necessary. Although this may not prevent the courts from issuing a subpoena and verbally questioning investigators, the likelihood of this occurring is reduced in the absence of written records. In the mid-1980s, a court case resulted in a federal judge ruling in favor of a sociologist's right to protect subjects by refusing to release his field notes to a grand jury investigating a suspicious fire at a restaurant where he worked and conducted covert research (Fried, 1984). This case, however, has yet to result in significant changes in judicial attitudes about the nature of research and field notes. Certainly, the potential for legal problems is likely to persist for some time.

Because of the various precedents and differing state statutes, speculating or generalizing about how a particular case may be resolved is impossible (see Boruch & Cecil, 1979; Carroll & Knerr, 1977). For instance, Rik Scarce (1990) published a book based on his research on animal

rights activists entitled *Ecowarriors: Understanding the Radical Environmental Movement.* In 1993, Scarce was ordered to appear before a grand jury and asked to identify the activists involved in his research. In order to maintain the confidentiality he had promised these individuals, Scarce refused to reveal who they were. Scarce was held in contempt and confined to jail for 159 days. Even if researchers choose not to risk imprisonment for contempt, the fact that there exists a moral obligation to maintain their promise of confidentiality to the best of their ability should be apparent.

3.4: Securing the Data

3.4 **Recognize the need for securing research data**

Although court-related disclosures provide particularly difficult problems, they are rare cases. A more likely—as well as more controllable—form of disclosure comes from careless or clumsy handling of records and data. In other words, researchers must take intentional precautions to ensure that information does not accidentally fall into the wrong hands or become public.

Researchers frequently invent what they believe are unique strategies to secure pieces of research information. More often than not, though, these innovations simply represent attempts to separate names or other identifiers from the data. Regardless of whether you store the data in multiple locations or place it in metal boxes inside locked closets or a locked desk drawer, precautions against accidental disclosure must be taken.

Precautions should also be taken to ensure that research-related information is not carelessly discussed.

Toward this end, signing a *statement of confidentiality* is common for each member of a research team. This is sometimes referred to as a *personnel agreement for maintaining confidentiality* (see Figure 3.2). These statements typically indicate the sensitive nature of the research and offer a promise not to talk to anybody about information obtained during the study.

While it is true that a signed statement of confidentiality is not likely to stand up in court if an investigator is subpoenaed, it does provide at least some assurance that personnel on the research team will not indiscriminately discuss the study.

3.5: Why Researchers Violate

3.5 **Report classic cases of work where researchers violated ethical standards**

Earlier in the chapter, I described some of the most egregious and obvious examples of researchers choosing to put others in harm's way for the sake of their own research. The Nazi case is easy to dismiss as unique. After all, they made a point of dehumanizing and harming their captives even outside of any form of human experimentation. But other cases also seem to have relied on an almost total lack of regard for the people involved in the research. In the Tuskegee Syphilis Study, for example, the doctors might well have felt that the measurable harm (including death) faced by the study subjects was the price to pay for a medical breakthrough that could save innumerable

Figure 3.2 Personnel Agreement for Maintaining Confidentiality

Name: _____

Position: _____

I recognize that, in the course of my participation as an investigator on the study "Drinking and Texting," I may gain access to subject information that must be treated as confidential and disclosed only under limited conditions. I agree that:

1. I will not reference or reveal any personal or identifying information outside of the context of this study.

2. I will only use this information in the manner described in the study's approved human subjects' research application.

3. I will not disclose information except where required by law to do so.

4. I will take all reasonable and necessary precautions to ensure that the access and handling of information are conducted in ways that protect subject confidentiality to the greatest degree possible. This includes maintaining such information in secured and locked locations.

Signature: _____   Date: _____

future sufferers. However, given that the research did not provide such breakthroughs, that it continued after it was no longer needed, and that they only impacted black men, one can't help but suspect that there was more going on than just a fierce dedication to the study's potential results.

The principal violation in this case may not be the great risk of harm to the health of the subjects and their relations, even though those harms were extensive. Rather, it was the fact that the participants did not choose to participate, or even know that they were in such a study. Ethically, a research subject can freely choose to take on specified risks for the sake of research. However, clearly, it is a different matter when researchers seek to make those decisions for others. We speak of the trade-off between risk and benefit. Here we see the crucial difference between how the researcher might view this trade-off (your risk, my benefit) and how the subject will see it (my risk, your benefit).

Informed volunteers may also be placed at risk without realizing it. In identifying different forms of ethical violations at the start of this chapter, I had suggested that most of them occur as unintentional by-products of other interests. Researchers and research subjects may be placed at risk due to inadequate preparation and review of a research design or other forms of careless planning. Often in such cases, the researchers fail to anticipate or perceive the risks. Frequently, researchers perceive the existence of risks to themselves and others, but misperceive the dangers inherent in them. Let us consider some of the classic cases of research work that might have seemed fine at the time they were undertaken, but which would not pass review today.

Stanley Milgram's (1963) experiment on authority and control is one of the most famous cases of influential research that would no longer be considered ethically justified. Influenced by the Nuremberg Trials, in which accused Nazi war criminals famously defended their actions as "just following orders," Milgram became interested in learning about the tendency to obey authority figures. To observe this phenomenon, he told voluntary "assistants" that they were to help teach another person, supposedly another volunteer subject, a simple word association task. The other volunteer, however, was actually another investigator on the study while the supposed assistants were the real subjects. The experiment was designed to push the subjects to perform acts that they felt were wrong merely because they were under orders to do so, and despite the fact that they would suffer no loss if they refused.

The subject/teacher was instructed by Milgram to administer an electric shock to the learner (the confederate in an adjacent room) whenever the learner made a mistake. The subject/teacher was told that this electric shock was intended to facilitate learning and should be increased in intensity progressively with each error. Milgram ran several variations on this experiment with very different levels of cooperation on the part of the subject/teacher. Many of the subjects obediently (or, gleefully) advanced the shock levels to potentially lethal levels. Others objected or resisted vocally before complying with the project director's instructions. Many refused altogether. In the most famous and studied variant of the experiment in which the authority relations were most clearly indicated and supported, the majority of subjects continued to administer the supposed shocks well into the danger zone.

In reality, the supposed learner received no shocks at all. Rather, each time the subject/teacher administered a shock, a signal indicated that the learner should react as if shocked. The harm done was emotional, not physical. The deception aroused considerable anguish and guilt in the actual subjects. As fascinating and important as it is to learn that people can be pressured into harming or even potentially killing others through the power of simple authority relations, it is not something that one wants to actually experience or learn about one's self in that way. Milgram debriefed the subjects, explaining that they had not actually harmed others. Nonetheless, they had already sat there pressing the shock button while an innocent stranger screamed in pain. While Milgram's study is considered one of the most important and influential social experiments in the research literature, he failed to adequately consider the psychological and emotional impact of the experiment on the people who took part in it. Truly, it was a traumatic experience for many of them.

In another study, regarded by many social scientists to be as controversial as the Milgram study, Philip Zimbardo (1972) sought to examine situational power through the interaction patterns between inmates and guards. His experiment involved a simulated prison where groups of paid volunteers were designated as either inmates or guards. For this study, Zimbardo constructed a model jail facility in the basement of one of the university buildings at Stanford. The design of the study called for those subjects assigned to the inmate role to be arrested by actual police officers, charged with serious crimes, booked at a local station, and brought to the "jail" facility on campus. The guards were other paid volunteers who were garbed in uniforms and were issued nightsticks. His expectation was that even the artificially constructed situation of giving some people power over others would increase the likelihood that this power would be abused. The research had (and still has) important implications for the use and management of our entire prison system. Nonetheless, it is difficult to propose that the "power" would be abused without also imagining that the subjects of this power would therefore

be abused. The error, as it were, was that Zimbardo failed to anticipate just how right his hypothesis was.

The study was intended to run for a two-week period, during which time Zimbardo expected to watch the subjects act out their various roles as inmates and guards. However, within the first 24 hours, as guards became increasingly abusive and inmates grew more hostile toward their keepers, verbal altercations began to break out between several of the inmates and guards, escalating to a physical altercation between one of the guards and inmates. Within 48 hours, the inmates had begun planning and executing their first escape, while others had to be released from the study due to stress and mental anguish. Despite these extreme and unexpected events, Zimbardo did not call off the experiment until the sixth day. Even then, as he described it, it was pressure from his girlfriend at the time (later, wife) that convinced him not to continue (Granberg & Galliher, 2010).

Authority, when perceived as legitimate, impacts research practices in other less direct ways as well. Dean Champion (2006, pp. 518–519) recounts another research study of questionable ethics. This study, commonly known as the Central Intelligence Agency's (CIA's) ARTICHOKE program, was undertaken by the CIA of the U.S. government. The study sought to uncover ways to control peoples' behavior. The very design and intent of the research was to gain power over others and compel them to speak or act against their own interests. According to Champion (2006, p. 519):

> A CIA memo dated January 25, 1952, indicated that a program, ARTICHOKE, was underway and that its primary objectives were the evaluation and development of any methods by which we can get information from a person against his will and without his knowledge.

One component of the study was to control peoples' behavior through the use of drugs and chemicals that could create psychological and physiological changes. These included the use of electroshock, LSD, hypnosis, and various drugs thought to induce memory loss and amnesia. Apparently, these drugs and activities were administered to unwitting citizens and members of the armed forces. These harmful acts were designed by a government agency but carried out by professional social and behavioral scientists.

In 1963, the CIA was forced to deal with the public disclosure of its efforts after several news agencies carried stories about this study. Naturally, the study was brought to a close. However, professional organizations such as the American Psychological Association and the American Sociological Association sought explanations for how ARTICHOKE could have been carried on for so long without the public being informed about its existence (Champion, 2006). Even today, many social scientists continue to question how the CIA could have enlisted so many psychologists and other social scientists (or even CIA agents) to assist them in this rather blatantly unethical course of action in the ARTICHOKE study. Does the involvement of government agencies and the invocation of "security interests" absolve scientists of their ethical obligations? Did they think their actions were appropriate, or were they just following orders?

Laud Humphreys' (1970) study of casual homosexual encounters, called *Tearoom Trade*, raised questions about other forms of harm to research subjects. Humphreys was interested in gaining understanding not only about practicing homosexuals but also about men who lived heterosexual lives in public but who sometimes engaged in homosexual encounters in private. In addition to observing encounters in public restrooms in parks (tearooms), Humphreys developed a way to gain access to detailed information about the subjects he covertly observed.

While serving as a watch queen (a voyeuristic lookout), Humphreys was able to observe the sexual encounters and to record the participants' license plates. With those, he was able to locate the names and home addresses of the men he had observed. Next, Humphreys disguised himself and deceived these men into believing that he was conducting a survey in their neighborhood. The result was that Humphreys managed to collect considerable amounts of information about each of the subjects he had observed in the tearooms without their consent.

Shortly after the publication of Humphreys' work in 1970, there was a considerable outcry against the invasion of privacy, misrepresentation of researcher identities, and deception commonly being practiced during the course of research. Many of the controversies that revolve around Humphreys' research remain key ethical issues today. Paramount among these issues are the justifications that the subject matter was of critical importance to the scientific community and that it simply could not have been investigated in any other manner. This justification relies in part on the fact that since people were legally prosecuted for homosexuality in 1970, and would have lost their jobs and marriages as well, he could hardly have expected voluntary cooperation. Yet, for exactly those reasons, voluntary cooperation is necessary. The researcher alone cannot decide what risks other people should confront.

Naturally, this begs the question of how to weigh the potential benefit of a research project against the potential harm. This utilitarian argument essentially sets up a kind of scale in which risk and harm are placed on one side and benefits are placed on the other side (see Figure 3.3). If the determination is that the amount of benefit outweighs the amount of potential risk or harm, then the research may be seen from an ethical point of view as permissible (Christians, 2008; Taylor, 1994). This notion, of course, assumes that there is no potential serious risk of harm, injury, or death possible for any research subject.

Figure 3.3 The Research Risk/Benefit Scale
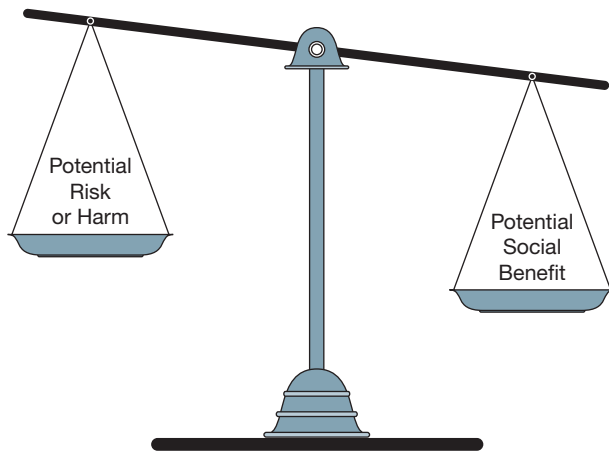
3.6: Institutional Review Boards

3.6 **Examine how the duties of institutional review boards safeguard the well-being of human subjects**

Whenever someone brings up the topic of institutional review boards, he or she runs the risk of evoking strong feelings among social science researchers. Among the negatives: Some researchers see IRBs as handcuffs impeding their search for scientific answers to social problems. Some researchers simply believe that contemporary IRBs have grown too big for their breeches and that they tend to overstep their perceived purpose and limits. Other researchers say IRBs are staffed with clinicians unable to understand the nuances of certain social scientific styles of research, particularly qualitative research. Indeed, there are many who view IRBs as villains rather than as necessary—let alone virtuous—institutions. While many researchers view IRBs in less than positive terms, few today doubt that IRBs are necessary. Recent research on the topic among ethnographers indicates that most find the review process fair and appropriate, though some still question the extent to which the reviews contribute to either research or human subjects' protection (Wynn, 2011). Ideally, IRBs should be seen as a group of professionals who selflessly give their time and expertise to ensure that human subjects are neither physically nor emotionally injured by researchers, thereby also assisting researchers in preparing their work.

In the academic community of the new millennium, research continues to uphold its position as a critically important element. Fundamentally, and somewhat altruistically, research still holds the promise of important revelations for collective thinking and changes for the better in society. At a more pragmatic level, social science research offers the academician opportunities for publication that, in turn, form the rungs in academic promotion and tenure ladders. Furthermore, the new millennium has brought with it a wave of new ethical challenges with the advent of Internet-based research and widespread surveillance data. With these new challenges, many researchers are vividly reminded of the problems that are today apparent in the research studies of the recent past that exploited human subjects in deplorable ways. The question that remains unanswered, however, is this: Exactly what are the IRBs' duties and responsibilities?

3.6.1: IRBs and Their Duties

IRBs have grown and refocused in the decades since their introduction, as reflected in the different names by which they may be known. Among the different forms for IRBs we find Human Research Protection Programs, Human Subjects Research Committees, Human Subjects Protection Committees, and the like.

Among the important elements considered by IRB panels is the assurance of informed consent. Usually, this involves requirements for obtaining written informed consent from potential subjects. This requirement, which is mostly taken for granted now, drew heavy critical fire from social scientists when it was introduced (Fields, 1978; Gray, 1977; Meyer, 1977). Although strategies for obtaining informed consent have been routinized in most research, some difficulties and criticisms persist. Qualitative researchers, especially those involved in ethnographic research, have been particularly vocal. Their concerns often pertain to the way that formal requirements for institutional review and written informed consent damage their special field-worker–informant relationships (Berg, Austin, & Zuern, 1992; Lincoln, 2008; Taylor & Bogdan, 1998).

The National Commission for the Protection of Human Subjects, created by the National Research Act of 1974, reviewed its own guidelines (Department of Health, Education, and Welfare, 1978a) and offered revisions that addressed some of these concerns (*Federal Register*, 1978). The revisions are more specific about the role the IRB should play than previous documents were. For example, the *Federal Register* states that board members may be liable for legal action if they exceed their authority and interfere with the investigator's right to conduct research. These revised guidelines also recommend that the requirement for written informed consent could be waived for certain types of low-risk styles of research.

Because their research procedures are more formalized and require contacts with subjects, the more limited and predictable characteristics of quantitative methodologies are generally simpler to define. As a result, the specific exemptions for styles of research that can be expedited through IRBs largely are quantitative survey types, research involving educational tests (diagnostic, aptitude, or achievement), and qualitative approaches that don't

require contact with individuals such as observation in public places and archival research (Department of Health, Education, and Welfare, 1978b).

The temporary (usually single visit) and formal nature of most quantitative data-gathering strategies makes them easier to fit into federal regulations. In survey research in particular, confidentiality is also rather easy to ensure. Written consent slips can be separated out from surveys and secured in innovative ways. It becomes a simple task to ensure that names or other identifiers will not be connected in any way with the survey response sheets.

Qualitative research, especially ethnographic strategies, presents greater challenges to IRBs. Presumably, most qualitative researchers make every effort to comply with federal regulations for the protection of human subjects. However, strict compliance is not always easy. In order to ensure consistency, lists of names are sometimes maintained even when pseudonyms are used in field notes. Furthermore, the very nature of ethnographic research makes it ideal for studying secret, deviant, or difficult-to-study populations. Consider, for example, drug smugglers (Adler, 1985), burglars (Cromwell, Olsen, & Avary, 1990), or crack dealers (Jacobs, 1998). It would be almost impossible to locate sufficient numbers of drug smugglers, burglars, or crack dealers to create a probability sample or to administer a meaningful number of survey questionnaires. Imagine, now, that you also needed to secure written informed-consent slips. It is not likely that anyone could manage these restrictions. In fact, the researcher's personal safety might be jeopardized even by announcing his or her presence (overt observation). It is similarly unlikely that you would have much success trying to locate a sufficient number of patrons of pornographic DVD rentals to administer questionnaires. Yet, observational and ethnographic techniques might work very well (see, e.g., Tewksbury, 1990).

Many qualitative researchers have arrived at the same conclusion about the relationship between researcher and subjects in qualitative research—namely, that the qualitative relationship is so different from quantitative approaches that conventional procedures for informed consent and protection of human subjects amount to little more than ritual (Bogdan & Biklen, 1992, 2003). For example, Tewksbury (1990) located voluntary participants for a study of sex and danger in men's same-sex, in-public encounters by posting notices on social service agency bulletin boards, in college campuses, and through personal contacts (a variation of snowballing, discussed in Chapter 2). Berg and colleagues (2004) located a population of Latino men who have sex with men (MSMs) in an HIV outreach support group and worked with outreach workers who already had rapport with these MSMs to invite them to take part in an interview study. In effect, the qualitative researcher typically has a substantially different relationship with his or her subjects, and one markedly distinct from the more abstract and sterile relationship most quantitative researchers have with theirs.

With qualitative research, on the other hand, the relationship between researcher and subject is frequently an ongoing and evolving one. Doing qualitative research with subjects is more like being permitted to observe or take part in the lives of these subjects. At best, it may be seen as a social contract. But, as in all contracts, both parties have some say about the contents of the agreement and in regulating the relationship. Although it is not difficult to predict possible risks in quantitative survey studies, this task can be quite a problem in some qualitative research projects.

In the kind of research for which these guidelines have typically been written, subjects have very circumscribed relationships. The researcher presents some survey or questionnaire to the subjects, who, in turn, fill it out. Or, the researcher describes the requirements of participation in some experiment, and the subject participates. In these quantitative modes of research, it is a fairly easy task to predict and describe to the subject the content of the study and the possible risks from participation. At some institutions, the IRB requires distribution of a "Bill of Rights" whenever a subject is included in an experiment (Morse, 1994, p. 338), but these otherwise reasonable regulations were written with medical experiments in mind, not social ones.

Consider, for example, a study in which a researcher seeks to observe illegal gambling behaviors. In Tomson Nguyen's (2003) study, the researcher sought to examine gambling in a Vietnamese café. Nguyen visited a café known to be a location where local Vietnamese residents went to play illegal poker machines. While he had the permission of the café owner to be there, none of the players were aware of his intention to observe their gambling for a research study. Again, in itself, Nguyen's presence in the café did not alter the risks to these gamblers' (or the café owner's) of being apprehended by police should there be a raid. But the IRB to which Nguyen submitted took considerable convincing that this project would not in some way harm subjects.

Some researchers, confronted with the daunting task of convincing IRBs that their risk management strategies are sufficient, have thrown in the towel and simply stopped researching controversial topics. That is, these researchers may have taken the position that not all topics are appropriate for academic study, or worse, the pragmatic position that it is not "safe" for one's career to try to pursue certain questions. This, however, could lead to a serious problem. If, over the course of years, the impact of institutional review highly encouraged some forms of research while discouraging others, then eventually large segments of the social world will all but disappear from

view as researchers learn to avoid them. Consider, for example, how we could ever design effective interventions to reduce the spread of sexually transmitted diseases if we didn't study the whole spectrum of sexual behaviors. By extension, it would be impossible to protect sexually active teenagers, whose exposure and transmission rates are particularly high, if we could not do such research among such teens. Yet, basic requirements for the protection of minors would require us to get written permission from the teens' parents before beginning our work. But even the act of informing parents that we are studying sexual activities would put the potential subjects at risk of harm. A degree of creative innovation is required to address such questions.

3.6.2: Clarifying the Role of IRBs

Having raised concerns about the negative impact of IRBs, it is worth remembering that the practice of review arose from some serious and widespread failures on the part of researchers to protect subjects on their own. Formal procedures to protect people are an essential part of the research process. Initially, IRBs were charged with the responsibility to review the adequacy of consent procedures for the protection of human subjects in research funded by the U.S. DHEW. This mandate was soon broadened to include a review of all research conducted in an institution receiving any funds from DHEW—even when the study itself did not (Burstein, 1987; Department of Health and Human Services, 1989).

Part of the IRBs' duties was to ensure that subjects in research studies were advised of both the potential risks from participation and also the possible benefits. This task seems to have evolved among some IRBs to become an assessment of risk-to-benefit ratios of proposed studies. In some cases, this is based on an IRB's impression of the worth of the study. In other cases, this may be based on the IRB's presumed greater knowledge of the subject and methodological strategies than potential subjects are likely to possess (Bailey, 1996; Burstein, 1987). Thus, in many cases, IRBs, and not subjects, determine whether the subject will even have the option of participating or declining to participate in a study, by refusing to certify research that does not seem important to them.

According to the *Code of Federal Regulations* (CFR, 1993, Article 45, Part 46, pp. 101–110), there are a number of research situations that do not require a full-blown institutional review. These projects are subject to what may be termed an *expedited review.* Expedited reviews may involve a read-through and determination by the chair or a designated IRB committee member rather than review by the full committee. Typical kinds of studies entitled to an expedited review include evaluations of educational institutions that examine normal educational practices, organizational effectiveness, instructional techniques, curricula, or classroom management strategies (see also CFR, 2008).

Other types of research subject areas may receive an expedited review or no review, depending on the specific institutional rules of a given university or research organization. These areas include certain survey procedures, interview procedures, or observations of public behavior. The CFR provisions that exclude research areas from review state the following:

1. The information obtained is recorded in such a manner that the participants cannot be identified.
2. Any disclosure of the participants' response outside the research cannot reasonably identify the subject.
3. The study and its results do not place the participant at risk of criminal or civil liability, nor will it be damaging to the participant's financial standing, employability, or reputation (e.g., an observational study in which subjects are not identified).
4. The research will be conducted on preexisting data, documents, records, pathological specimens, or diagnostic specimens, provided these items are publicly available or if the information is recorded by the investigator in such a manner that subjects cannot be identified.

In effect, the governmental regulations as established by the CFR allow certain types of research to be undertaken without any additional oversight by an IRB and rather depend on the professional codes or ethics of the researcher or on the various more restrictive rules of a particular university or research organization.

Today, researchers have claimed that many IRBs have further extended their reach to include evaluation of methodological strategies, not, as one might expect, as these methods pertain to human subject risks but in terms of the project's methodological adequacy. The justification for this, apparently, is that even when minimum risks exist, if a study is designed poorly, it will not yield any scientific benefit (Berg et al., 1992; Lincoln, 2008).

Some researchers complain that IRBs have begun to moralize rather than assess the potential harm to subjects. As an example, consider the following situation that arose during an IRB review of a proposal at a midsized university on the East Coast. The project was designed to examine ethnographically the initiation of cigarette smoking and alcohol consumption among middle school and high school youths. The design called for identified field researchers to spend time in public places observing youths. The idea was to observe how smoking and alcohol fit into the social worlds of these youths.

Several IRB committee members were extremely concerned that ethnographers would be watching children smoking and drinking without notifying their parents of these behaviors. During a review of this proposal with the investigator, these committee members argued that it

was unthinkable that no intervention would be taken on the part of the field-workers, which is odd considering the IRB's responsibility to protect confidentiality. They recommended that the researchers tell the youths' parents that they were engaging in these serious behaviors. The investigator explained that this would actually be a breach of confidentiality and potentially expose the subjects to serious risk of corporal punishment.

One committee member asked, "What if the youth was observed smoking crack; wouldn't the field-worker tell his or her parents then?" The investigator reminded the committee that these observations were to be in public places. The field-workers did not have a responsibility to report to the parents what their children were doing—no matter how potentially unhealthy it may be. The investigator further explained that there was no legal requirement to inform on these subjects, and, in fact, to do so would make the research virtually impossible to conduct. The committee member agreed that there may be no legal requirement but went on to argue that there certainly was a moral one!

Eventually, a compromise was struck. The researcher agreed to include a statement in the proposal indicating that if the field-workers observed what they believed were children engaging in behavior that would likely result in immediate and serious personal injury or imminent death, they would intervene. Of course, such a statement seemed unnecessary for the researcher, because it was already agreed on by the research team. It did, however, appease the committee members who continued to believe that the parents should be informed about their children's behavior.

The conflict in this case did not arise from the normal and required actions of the review board, but from the fact that the IRB's role may be open to a variety of interpretations by individuals. That is, it appears (to us) that the researcher had a better understanding of the nature of human subjects' protections than one member of the review committee did. We can therefore consider this situation to be an individual error, not a systemic problem. Yet, given the fact that issues of risk, benefit, and harm are all matters of interpretation, such conflicts can crop up at any time.

3.6.3: Active versus Passive Consent

Another controversial question concerns the use of active versus passive informed consent by parents of children involved in research, particularly research conducted on the Internet. Active consent requires a signed agreement by the parents or other guardians before any data collection can begin (Deschenes & Vogel, 1995). Passive consent is usually based on the assumption that parental permission is granted if parents do not return a refusal form after

being informed about the study's purpose (Chartier et al., 2008; Deschenes & Vogel, 1995; Eaton, Lowry, Brener, Grunbaum, & Kahn, 2004).

Even the federal government has gotten into the picture. In 1995, it began considering a bill that would require active consent for research involving children. If this legislation had passed, it would have put a considerable damper on the research undertaken by many educational researchers.

In the past, researchers who have employed an active consent style have reported that it yields unacceptably low response rates. This translates into the underrepresentation of relevant study subjects, often the very ones involved in or at risk from the study behaviors (Kearney, Hopkins, Mauss, & Weisheit, 1983; Severson & Ary, 1983; Thompson, 1984).

To avoid excluding relevant study subjects, many researchers have turned to the passive consent method (Ellickson & Hawes, 1989; Ross, 2006). The moral question here rests on the argument that passive procedures do not fully inform parents about the research or give them sufficient opportunities to refuse participation. Some researchers question whether parents have actually intentionally decided to allow their child to participate and have consciously not sent in the refusal notice. In this case, one might interpret nonresponse as more of an indicator of indifferent attitudes toward research—but not necessarily consent.

Yet, active consent requirements may be too stringent for many qualitative research endeavors. This is especially true when qualitative projects implement a series of diligent data safeguards, such as removal of identifiers, to ensure confidentiality. Carefully designed passive consent procedures can avoid various negative consequences of active consent, while still ensuring parents are being informed.

The use of active consent begs the question of how extensive it must be and how it should be implemented in qualitative research. For example, if an investigator is interested in observing the interactions between children at play and during their studies, how extensive would the active consent need to be? Certainly, if observations are being made in a classroom, all of the parents would need to be notified, but would all have to actively agree before the researcher could enter the room? If one parent said no, would that mean that the child could not be included in the researcher's notes or that the research could not be undertaken? If the researcher wanted to observe this class of children on the playground, would he or she need the active consent of the parents of every child in the school?

In 2002, the issue of active and passive consent made headlines when New Jersey passed a law stating that all research undertaken in New Jersey schools

requires the active consent of parents. Put quite simply, if parents do not say yes, their child cannot take part in the research (Wetzstein, 2002). The controversy originated for New Jersey students and parents in 1999 when a survey containing over 156 questions was administered to more than 2,000 public middle school and high school students in Ridgewood, New Jersey. The survey asked teens about their sexual activity, birth control use, drug and alcohol use, cigarette smoking habits, binge eating, depression, suicide, stealing, physical violence, and relationships with family members and friends (Viadero, 2002).

The problem with such active consent requirements, as previously indicated, is that 20–30 percent of parents typically fail to return the consent forms. This can result in serious problems with study samples, causing researchers to drop certain schools from their studies because of low response rates from potential subjects' parents.

Again, these concerns do seem to direct themselves more to quantitative than to qualitative research studies. To a certain extent, a qualitative research effort might find it less problematic to not have all the parents' consent and to simply exclude children whose parents have not provided their permission for, say, an interview. It is not as simple, however, to exclude youths from observational studies. Thus, if an investigator desires to undertake this type of research, under the New Jersey law of active consent, he or she would not be able to do so. Naturally, this suggests, once more, the push toward what some might call "research of the sterile and mundane."

3.6.4: Active versus Passive Consent in Internet Research

The Internet is an enormously comprehensive electronic archive of materials representing a vast array of social artifacts reflecting peoples' opinions, concerns, life stories, activities, and lifestyles. Materials on these sites can be a rich source of data for social scientists interested in understanding the lives, experiences, and views of people. As discussed later in this book, there are a number of ways by which researchers can access and use the data via the Internet. Among the several ways the data can be solicited via the Internet are electronic surveys and electronic interviews (Bachman & Schutt, 2007; Eysenbach & Wyatt, 2002). Dillman (2000) suggests the e-mail survey is one method by which researchers can provide potential subjects with an instrument to complete via e-mail address and ask them to return the completed device. In terms of consent, one can certainly send along the survey with a description of the study and a statement to be checked off to indicate *informed consent.* If you have ever checked the "I have read and understood the terms and conditions" checkbox on a

Web site before downloading a file, then you have given this sort of informed consent. Whether you took the time to read the "informed" part or not is up to you.

Web surveys, according to Bachman and Schutt (2007), are a variation on this data-collection strategy. Surveys are placed either on a server controlled by the researcher or at a Web survey firm, and potential respondents are invited to visit the Web site and complete the instrument. A description of the study can be provided, and the act of the subject going to the site and completing the survey can serve as a variation on passive consent.

Electronic interviews (see Chapter 4): Once the interviewer and subject agree and informed consent is obtained either in person or online, electronic interviews can be undertaken through the use of private chat rooms where both the interviewer and the subject interact in real time, asking and answering questions over the Internet. Again, with regard to informed consent, information about the study can be transmitted to the subject's e-mail, and agreement to take part in the interview can be obtained at that time or, to maintain anonymity, during the course of the interview, once the interviewer directs the subject to the chat space. The inclusion of the Internet in qualitative research certainly opens innovative doors for research strategies. However, it also presents new problems for IRBs. Members of IRBs must deal with an assortment of ethical and even moralistic problems. A reasonable question to ask is this: Who in his or her right mind would want to serve on such a panel? This, however, brings us to the question of exactly who does serve on the review boards.

3.6.5: Membership Criteria for IRBs

The federal regulations specify that "each IRB shall have at least five members with varying backgrounds to promote complete and adequate review of research activities commonly conducted by the institution" (CFR, 1993, p. 7, CFR, 2008). There are also provisions that IRBs should not be composed entirely of women, men, single racial groups, or one profession. Furthermore, each IRB should contain at least one member whose primary work does not include the sciences or social sciences (e.g., lawyers, ethicists, members of the clergy). However, federal guidelines do not articulate how to select or locate IRB members, what research qualifications members should have, what lengths members' terms should be, or how to establish an IRB chairperson. The federal regulations do require that "assurances" be submitted to the Office for Protection from Research Risks, National Institutes of Health.

Among these assurances must be a list of IRB members' names, their "earned degrees; representative capacity; indications of experience such as board certifications,

licenses, etc." (CFR, 1993, p. 6). While no suggestion is given about what types of degrees people should have in order to sit on the IRB, the allusion to board certification or licenses does convey the notion of clinicians rather than social scientists. The diversity of backgrounds on most IRBs ensures that almost any project proposals that are submitted for review will be evaluated by at least one person with appropriate expertise in that area, as well as a few without such expertise. It's a tricky balance.

There are no simple rules for establishing IRBs that are able to ensure both safety to human subjects and reasonably unhampered research opportunities for investigators. As the serious ethical infractions that occurred before the advance of IRBs demonstrate, social scientists left to their own designs sometimes go astray. By the same token, researchers may be correct in their stance that IRBs left to their own devices may grow too restrictive. Nonetheless, IRBs should be able to operate in concert with researchers rather than in opposition to them. Social scientists need to become more involved in the IRB process and seek ways to implement board goals and membership policies that are responsive to changing times, social values, and research technologies.

3.7: Ethical Codes

3.7   List codes of ethical conduct

During the past several decades, changing social attitudes about research as well as changing legislation have led professional associations to create codes of ethical conduct. For example, the American Nurses' Association developed *The Nurse's Role in Ethics and Human Rights* (2010), a code of ethical conduct that incorporates protection of patients and their families, commitment to social justice, and protection of whistle-blowers in addition to ethical standards for nursing research. The American Sociological Association produced its first code of ethics during the early 1980s with periodic updates to keep up with changing conditions in the field (American Sociological Association, 1984, 1997). Ethical guidelines for psychologists emerged in the American Psychological Association (1981) in a document entitled "Ethical Principles of Psychologists" and again in a document entitled "Ethical Principles in the Conduct of Research with Human Participants" (1984). The American Society of Criminology does not distribute its own code of ethics; however, the society's Web site links to numerous other societies' ethical codes (http://www.asc41.com). Hagan (2006) has suggested that most criminologists and criminal justice researchers tend to borrow from cognate disciplines for their ethical guidelines. Paramount among these borrowed ethical tenets is the avoidance of harm to human subjects.

3.8: Some Common Ethical Concerns in Behavioral Research

3.8   Report ethical concerns in behavioral research

Among the most serious ethical concerns that have received attention during the past two decades is the assurance that subjects are voluntarily involved and informed of all potential risks. Yet, even here there is some room for controversy. The following section addresses issues related to collecting data "nonreactively" about subjects who have not agreed to be research participants. Nonreactive methods include observation and document analysis.

In general, the concept of voluntary participation in social science research is an important ideal, but ideals are not always attainable. In some instances, however—such as the one illustrated by Humphreys' (1970) study—violating the tenet of voluntary participation may appear justified to some researchers and not to others. Typically, such justifications are made on the basis of an imaginary scale described as tipped toward the ultimate social good as measured against the possible harm to subjects.

Another argument against arbitrary application of this notion of voluntary participation concerns the nature of volunteering in general. First, if all social research included only those persons who eagerly volunteered to participate, little meaningful understanding would result. There would be no way of determining if these types of persons were similar to others who lacked this willingness to volunteer. In other words, both qualitative data and aggregated statistical data would become questionable if they could not be verified with other populations.

Second, in many cases, volunteer subjects may in reality be coerced or manipulated into volunteering. For instance, one popular style of sample identification is the college classroom. If the teacher asks the entire class to voluntarily take part in a research project, there may be penalties for not submitting even if the teacher suggests otherwise. Even if no punishments are intentionally planned, if students believe that not taking part will be noticed and might somehow be held against them, they have been manipulated. Under such circumstances, as in the case of the overeager volunteers, confidence in the data is undermined. Many universities disallow faculty to use their own students as research subjects for just this reason.

Babbie (2007) similarly noted that offering reduced sentences to inmates in exchange for their participation in research—or other types of incentives to potential subjects—represents yet another kind of manipulated voluntary consent. For the most part, inmate research

is disallowed by IRBs in the United States. As Martin, Arnold, Zimmerman, and Richard (1968) suggested, voluntary participation in studies among prisoners results from a strange mix of altruism, monetary gain, and hope for a potential way of enhancing their personal prestige and status.

Both of these scenarios suggest that voluntary participation may not always be completely voluntary, and therefore they raise questions about the validity of certain subject pools. The same concerns may be offered as justifications for collecting data without consent. If consenting students or prisoners are qualitatively different from nonconsenting ones, then only a study of both together would be truly representative. This is a dangerous and difficult approach to take, and one which can appear to be a crass attempt to undermine human subjects' protections. Yet, for some research projects, aggregated data about particular populations, such as students or inmates, may be collected from the institution without either the direct involvement of individual subjects or any means to trace specific data back to them. In fact, doing so is almost too easy. While it is notoriously difficult to get permission from correctional facilities to enter for research purposes, inmate data is considered to be "owned" by the institution and not the inmates. Researchers might be given open access to copious amounts of data without inmate permission, including details that one would assume were confidential. To reiterate the point, work on or with dependent populations must be carefully managed and precisely justified.

A third rationalization for not gaining the voluntary consent of subjects was suggested by Rainwater and Pittman (1967). They believed that social science research enhanced accountability in public officials. Consequently, research in many public institutions must be conducted covertly (thus, without voluntary participation on the part of subjects) if it is to be meaningful—and in some instances if it is to be conducted at all. In many cases, data about public figures are mostly public, and transparency policies and freedom of information laws allow public access to much of the workings of public agencies. It is sometimes unclear, however, whether a social scientist ought to pursue data that has not been deemed public. Social research serves an accountability function; but we are not investigative journalists.

Some researchers argue that voluntary participation actually may conflict with the methodological principle of *representativeness* and representative sampling (Schutt, 2006). Carrying this notion to its logical conclusion, one might argue that if a researcher gives people a choice about participating in a survey study, certain types would decline at disproportionate rates (those with great wealth, non-English-speaking persons, people from certain ethnic or cultural backgrounds, privacy advocates,

antigovernment activists, etc.). Certainly, compulsory participation in research creates a host of additional ethical concerns and would not likely be seriously considered by even the most statistically pure of heart researcher. Further, and particularly in light of modern and somewhat more critically influenced orientations, certain invasions of privacy and manipulations of research subjects are likely to occur mostly among fairly powerless segments of society and organizations; this too raises some very serious ethical concerns over who one should include in a study. On the one hand, researchers might justify this invasion as the conduct of do-gooders who focus on such disadvantaged groups as drug users, the unemployed, the mentally impaired, and the poor because social service agencies are interested in helping people with social problems. On the other hand, researchers can create as strong a case for social agencies' desires to get a firmer grip on these disadvantaged groups, and certainly government agencies, by using ethical social science research strategies to formulate policies (Engel & Schutt, 2005).

Regardless of the justification, because of their lack of political, social, and financial power, these disadvantaged groups are more accessible to researchers than more powerful groups are. In consequence, researchers must consider whether our study populations are the most appropriate for our work, or simply available. To the extent that we do study certain groups opportunistically, we should ask ourselves whether doing so has political or other implications. Are we inadvertently supporting, rather than questioning, existing divisions of power and privilege? Do our research questions inherently support some political agenda, regardless of our actual findings? Even if we are confident that whatever disadvantaged groups are the best ones for our research, we must still be responsive to these concerns and clearly explain to subjects the rights and responsibilities of both the researchers and the participants.

No hard-and-fast answers exist for resolving the dilemma of voluntary participation. Researchers must balance how voluntary subjects' participation will be against their perceptions of personal integrity; their responsibilities to themselves, their profession, and their discipline; and the ultimate effects for their subjects. In the end, researchers must define for themselves what is ethical in research over and beyond what their institutions might accept.

3.8.1: Covert versus Overt Researcher Roles

The question of voluntary participation virtually begs another question: what role a researcher should take when conducting research: an *overt* and announced role

or a *covert* and secret role? This concern is largely one that confronts researchers using ethnographic strategies such as observing people in their natural settings (see also Chapter 6 on *Ethnographic Field Strategies*). Many textbooks refer to Gold's *typology of naturalistic research* to explain this matter (Denzin & Lincoln, 2005; Marks & Yardley, 2004; Punch, 2005). Briefly, Gold's typology offers four roles for the researcher: complete participant, participant as observer, observer as participant, and complete observer. These roles are described as follows:

- *Complete participant:* In this case, the researcher seeks to engage fully in the activities of the group or organization under investigation. Thus, this role requires the researcher to enter the setting covertly as a secret or hidden investigator. For example, a researcher might enter a subcultural group in this manner without making his or her intent to conduct research known to the people involved in the group under investigation. Among the advantages to this role is that more accurate information is likely to flow permitting the researcher to obtain a fuller understanding of the interactions and meanings that are held important to those regularly involved in this group in this setting. This is the most covert role, and therefore the one most likely to introduce risks to the subjects and the researcher. It is discouraged under most conditions.

- *Participant as observer:* When the researcher adopts this role, he or she is accepting an overt or announced role as a researcher. In this case, the researcher formally makes his or her presence and intentions known to the group being studied. This may involve a general announcement that he or she will be conducting research, or a specific introduction as the researcher meets various people who participate in the setting. This strategy carries its own problems related to the ability of the researcher to develop sufficient rapport with participants, and the potential that the researcher will *go native*; that is, become so immersed in the activities, issues, and meanings of the group that he or she has difficulty maintaining an objective researcher's perspective on these activities, issues, and meanings.

- *Observer as participant:* Researchers donning the role of the observer as participant move away from the idea of participation but continue to embrace the overt role as an investigator. Often, this role involves a limited number of site or setting visits, along with the use of interviews, and may call for relatively more formal observation (e.g., examination of the organizational structure of a business or group, and written policies, rather than the organization or group's norms and practices). These replace the more informal observation or participations usually associated with other researcher observational roles. This strategy runs the risk of the researcher failing to understand some of the subtleties and nuances between participants involved in this organization or group; consequently, the researcher may miss or fail to adequately appreciate certain informal norms, roles, or relationships.

- *Complete observer:* When a researcher uses the complete observer role, it too tends to be an overt and announced role as a researcher. In this case, however, the researcher typically remains in the setting for a prolonged period of time, but is a passive observer to the flow of activities and interactions. For example, the researcher may sit in the rear of a classroom and observe training of police recruits during academy training classes. From this vantage, the researcher can freely move in and around the setting and participants while observing the recruits and the instructors—but not while serving or masquerading as either.

Between 1969 and 1971, Dan Rose (1988) conducted covert research, where he effectively used a *complete participant* researcher's role in order to ethnographically study a black neighborhood in Philadelphia, Pennsylvania. As part of his effort, he moved with his wife into the area and took a job as an auto mechanic in a small private garage. His decision to enter the setting covertly was based on his desire to avoid affecting the natural flow of information from the cultural scenes he expected to observe in the neighborhood—in essence to avoid researcher reactivity. When he wrote up his narrative, Rose indicated his own conflicted personal feelings about entering the field in this deceptive manner; but he also indicates that he saw the advantages to using this complete immersion into the neighborhood. In general, Rose suggests that entrance into the field as an announced ethnographer tends to focus on the interests of the researcher, rather than those of the people in the natural setting (the setting participants) and the flow of interactions from the cultural activities that occur in that setting.

Researchers may seek to justify taking a complete participant (covert researcher's role) approach by claiming that entry to some groups is very important to learn more about these groups and would otherwise be impossible if their true intentions were known (Miller, 1998; Miller & Tewksbury, 2001, 2005). As a covert participant/observer whose scientific intentions are unknown by the setting participants, access to and flow of information from these participants is possible. Taking what may be termed an *ethical relativist* position, researchers may claim to believe they have a scientific right to study any group whether this group is interested in being studied or not, provided this researcher furthers scientific understandings (Engel & Schutt, 2005; Nason-Clark & Neitz, 2001).

Another justification sometimes offered by researchers taking this ethical relativist stance is that subjects alter their behaviors once they learn that they are being studied; thus, covert research strategies avoid this type of *Hawthorne effect* (discussed in Chapter 6).

Many researchers, however, strenuously oppose covert research or any sort of deception of subjects on both ethical and pragmatic grounds. This sort of *ethical absolutist* perspective argues that researchers have no *right* to invade peoples' privacy under the color of scientific research, and that the deliberate deception of participants regarding the researcher's true intentions can always potentially cause harm to the subjects (Banks, 2004; Engel & Schutt, 2005; Nason-Clark & Neitz, 2001). I tend to agree with this position in almost all cases.

There is also the problem, particularly when conducting covert field research on deviant groups, that one will necessarily break the law (Adler, 1985; Becker, 1963; Carey, 1972; Tunnell, 1998). Again, Patricia Adler (1985, p. 23) provides an excellent illustration of the various levels of illegality one might become guilty of in the course of Adler and Adler's research on drug dealing. Not only did the Adlers have both general and specific knowledge of drug-related crimes, but, given that they frequently socialized with dealers who did not know of their research role, they occasionally had to consume drugs with them in order to preserve their perceived identities.

Although deception may be seen as a minor ethical violation by some investigators, it remains a serious breach of ethical conduct for others (Barnbaum & Byron, 2001; Kelman, 1967). Esterberg (2002, p. 52) states that she believes that covert research is almost never ethical, although she admits that some deception may at times be necessary. The decision about whether to assume an overt or a covert researcher role, then, involves a negotiated and balanced weighing of the potential gains against the potential losses.

Regardless of which stance one embraces, or seeks to justify, it is important that one *does not* violate his or her own sense of ethical tenets. If one, for example, cringes at the thought of undertaking a study of young children who shoot heroin, or of people who attend dog fights, it matters little whether the research is designed using covert or overt strategies for data collection; what matters is that the material subject rubs against the potential researcher's ethical beliefs. One's personal sense of ethics will certainly change over one's life course as he or she matures, experiences various dark and light sides of life, and learns more about various ways of life. It is very important, however, that one be in tune with the limits of his or her ethical boundaries prior to deciding one any researcher role or beginning any research project. Failure to accurately estimate one's own ethical limits may result in a ruined research project regardless of whether data is collected covertly or overtly.

The orientation supported in this text is that there may be situations in which covert research is both necessary and ethically justified, but that they are far from routine. The determination depends on what you are studying, how you plan to conduct the study, and what you plan to do with the results. For example, powerful and elite groups in society are difficult to access; consequently, social scientists tend to avoid them and concentrate their research efforts on more powerless groups (Hertz & Imber, 1993; Miller, 1998; Taylor & Bogdan, 1998). To be sure, there are far more studies of poor people than there are of politicians, nurses than doctors, employees of corporations than CEOs of corporations, the working class than celebrities, and so forth. Researchers reveal the faults and frailties of these *undergroups*, while the powerful and elite go unscathed. Open and announced research in such circles is typically constrained by bargains designed by the subjects to protect their own interests. In some cases, to which a researcher should never agree, a study subject may only agree to participate in exchange for the right to edit the researcher's notes. Covert strategies of research may be the only means by which to investigate certain questions concerning the powerful and elite. Such research, then, may well be morally and ethically justified. Nonetheless, the orientation supported here is to be hesitant about the use of deception. I am especially cautious about outright deception of anyone merely for the sake of conducting a study, that is, only adding another *research notch* to an investigator's metaphoric belt, or simply to expedite the research, or because the research study will allow one to complete a degree requirement.

3.9: New Areas for Ethical Concern: Cyberspace

3.9 Examine two areas of ethical concerns in the anonymity of web-based data-collection strategies

During the past decade, many areas of social scientific inquiry have benefited by extending their data-collection strategies to include the Internet. Web surveys have become common, for example. Qualitative researchers can also take advantage of various benefits afforded by the Web. For instance, focus groups (to be discussed in detail in Chapter 5) can be formed via the Internet to simultaneously undertake data collection among small groups composed of individuals in several distant locations. Oral historians are now able to reach archives located on the Web in minutes, whereas previously it might have taken days or weeks to reach their sources (Frisch, 2008). What may be the most surprising

thing about the current Web-based research is not that there have been so many egregious violations of ethics but that there appear to have been so few (Thomas, 1999). Although problems have been identified and various solutions have been offered, concerns about the potential use and misuse of the Internet continue to move scholars toward finding ways to maintain ethical integrity in research when using the Internet as a research tool (Hine, 2008).

One of the interesting ethical elements of Web-based research is that it is potentially far more anonymous than many other types of invasive data-collecting strategies. Thus, a greater sense of security and anonymity may be permitted for some research subjects. The investigator and the subject need not ever engage in face-to-face interactions, be concerned over being appropriately dressed, or even necessarily have concerns about the investigator's gender, thus removing several major traditional sources of researcher reactivity. For example, in a study by Nicola Illingworth (2001, para. 7.1), which examined women's views on assisted reproductive technologies, she found the use of what she terms *computer-mediated communications* provided an effective means for collecting her data. As she explained it:

> Firstly, online participation offered personal anonymity in a very emotive field. Secondly, because of the sensitive nature of this research, a number of respondents emphasized their reluctance to participate had this research been conducted in a more conventional, face-to-face setting.

Of course, from a qualitative researcher's point of view, this absence of face-to-face engagement could also be considered a loss of potential data (in the various forms of visual cues and symbolic information contained in grimaces, winces, body movements, and the like).

There are at least two areas of potential ethical concern which are produced by the freedom and anonymity created by Web-based data-collection strategies. These include greater needs to protect children and the need for debriefing subjects (Nosek, Banafi, & Greenwald, 2002).

3.9.1: Protection for Children

Whether or not the research being undertaken on the Internet is designed to include children, one must be mindful that children are out there. In a standard interview or focus group, the investigator is likely to notice a child's response when the research is designed for adults. In contrast, merely asking the subject's age over the Internet does not necessarily ensure a truthful response. There are several precautions that one can take, however, to better ensure that participants are adults when using a Web-based data-collection strategy:

First, recruit potential participants from list servers, chat rooms, Web sites, and organizations having an adult target audience.

Second, avoid using cutesy images or cartoons on the survey Web site in order to increase its appeal to adults and reduce its entertainment value to children. This might seem obvious, but we tend to design our outreach strategies with our target audiences in mind, and to not think as much about how other audiences might respond.

Third, like some adult Web sites, you can require that the participant register with an *adult check* system prior to entering the research Web site. Although this procedure generally requires the subject to enter a credit card number and/or a driver's license, the individual's identity is kept confidential from the researcher. The obvious drawback to this restriction, of course, is that many would-be participants will leave abruptly rather than enter a credit card or driver's license number over the Web—no matter how secure you make the site.

3.9.2: Debriefing the Subjects

It is not uncommon during the course of a face-to-face interview or a focus-group interview to notice when a subject is becoming upset, agitated, or otherwise unsettled. However, given the nature of the Internet (and the loss of symbolic visual cues), it is not always possible. Therefore, in the interest of ensuring no harm to participants, it is important to debrief the subjects and to determine if they require any assistance, counseling, or explanations for questions they have been asked during the course of the interview. The problems here include the innate difficulties of the technology itself. Internet participants may become involuntarily disconnected because of their server timing out, a server crash, their computer locking up or crashing, a program error, or even a power surge or outage. Or they may voluntarily and abruptly withdraw from participation because they become bored, angry, frustrated, or even simply because their doorbell or phone rings. Whatever the cause, early exit from the study is a threat not only to the quality of the research but also to the ability of the researcher to adequately debrief the subject and ensure that no harm has come to the participant.

There are a number of precautions the investigator can take to improve the likelihood of providing subjects with a debriefing. First, to ensure debriefing (even if it requires little more than to ask if the subject is okay or has any questions) it may be a good idea to secure the participant's e-mail address at the beginning of the study (Nosek et al., 2002). This, of course, assumes that the research is not anonymous.

Second, the Web site might include an *exit study* button clearly apparent on each page of the study, which might automatically direct participants to a debriefing

page or a page outlining how to get directly in touch with the researcher if they have any concerns or questions.

Third, the researcher could provide his or her own e-mail address at the beginning of the interview and indicate that subjects should feel free to contact him or her if they have any concerns after completing the interview or at a later time should they need to discontinue the interview suddenly. (You might want to set up a temporary e-mail for purposes of the study if you choose this option.)

Fourth, if the Web site is not already a chat room–based medium (which works well for both interviews and focus-group strategies), subjects might be directed to a chat room to have a real-time conversation with the interviewer about any concerns or questions they may have.

3.10: Objectivity and Careful Research Design

3.10 Recall the importance of careful research design

A researcher may use an assortment of complicated measures to ensure confidentiality, but perhaps the most important step is to think through the project carefully during the design stage. During the design stage of any study, the researcher can safely consider what actions must be taken to safeguard the identities of subjects as well as the data once it is collected, used, and stored.

In addition to these general safeguard issues, nurse researchers may have other ethical problems to consider because some of their research endeavors overlap into the biomedical realm. Polit and Hungler (1995, pp. 132–133), for example, outline a number of research problems and potential ethical dilemmas that each may involve. Two of these sample problems follow (Polit & Hungler, 1995, p. 132):

Research Problem

How empathic are nurses in their treatment of patients in intensive care units?

Ethical Dilemma

To address this question, the researcher would likely want to observe nurses' behavior while treating patients. Ethical research generally involves explaining the study to participants and obtaining their consent to participate in the study. Yet, if the researcher in this example informs the participating nurses that their treatment of patients will be observed, will their behavior be "normal"? If the nurses' behavior is altered because of their awareness of being observed, the entire value of the study would be undermined.

Research Problem

What are the feelings and coping mechanisms of parents whose children have a terminal illness?

Ethical Dilemma

To answer this question fully, the researcher may need to probe intrusively into the psychological state of the parents at a highly vulnerable time in their lives; such probing could be painful and even traumatic. Yet, knowledge of the parents' coping mechanisms could help to design more effective ways of dealing with parents' grief and anger.

As these examples suggest, some research situations place the researcher in an ethical bind. On the one hand, researchers want to advance scientific knowledge and understanding in the most rigorous manner possible. On the other hand, they must be careful not to violate the rights of subjects or to place them in harm's way.

Even if researchers can protect subjects from harm during the course of research, they must also consider what happens thereafter as a direct result of the research. Particularly when conducting policy-laden research on various drug- or crime-involved subjects, what investigators learn from these subjects may change the subjects' lives—and not necessarily for the better. Disseminating results that provide law enforcement agencies with improved techniques for interception could be construed as causing harm to the subjects (Lakoff, 1971; Ruane, 2005).

In addition to deciding against a given project during the design stage, researchers may consider possible ways of protecting the interests of subjects both during and following the actual study. By carefully considering possible harm to subjects in advance, researchers can sometimes avoid personal embarrassment and breaches of confidentiality.

The practice of researchers ensuring confidentiality in order to obtain the cooperation of subjects is fundamental to ethical research. It is quite important, therefore, that researchers recognize the potential tension between what might be called *academic freedom* and enforcement of the laws of the land. As Hofmann (1972) pointed out, social scientists must be responsible—and accountable—for their actions. With this firmly in mind, researchers ultimately may continue to question whether their ethical practices are justified by their ends. The ethical justification of research must be considered situationally, case by case (Israel & Hay, 2006).

I started this chapter by pointing out how great the impact of our research could be on people's lives, and how harmful that could be if we are not careful. I hope the cases described here have made that clear. In closing, however, I feel the need to present a different angle on the same matter. When we conduct our research, and particularly when we conduct fieldwork, we are taking

from others in order to benefit ourselves. That is, we impose our curiosity, our goals, our nosiness into other people's lives. We take their time, and we reduce important elements of their lives to our data. Yes, in the long run, we hope that our efforts will benefit society in some way. In the short run, however, all of this giving on the part of our informants serves our professional needs, to complete studies, write reports, and publish papers. We have to respect the trust that our informants place in us. Poor ethical conduct is not just a professional liability. It is an antisocial act against strangers who have gone out of their way to help us.

3.11: Other Misconduct

3.11 Analyze the need to safeguard against academic fraud in research

Up to this point, this chapter has almost entirely considered research ethics from the perspective of protecting human subjects. I would be remiss, however, if I failed to acknowledge that sometimes people simply lie, cheat, or otherwise mislead. These are not accidental or careless failures, but actual cases of academic fraud. I won't go into cases here, but for those who are interested such cases are tracked. Retractionwatch.com, for example, regularly blurbs about publications submitted and retracted, many of which are withdrawn due to questions about their academic integrity, including plagiarism and fraud as well as claims that do not stand up to verification. Founded by two scientists, the site raises concerns that retracted work is not publicized, so the original misinformation remains in circulation. I would add to this point the fact that since fraud is downplayed, we might tend to be a bit too trusting in our review process. There have been cases where authors—seeking to demonstrate that academic research is just one big con game— have submitted to journals entirely fake papers on made up topics. When one of these is accepted for publication, they call the discipline out for its lack of science. But I generally interpret these sorts of frauds as evidence that we attribute too much good faith to our professional colleagues. When I review papers for journals, I am looking to see if the conclusions match the data that was presented. I take it as mostly given that the author actually did collect that data. Perhaps, we should be more cautious.

Academic fraud can be viewed similarly to any other form of fraud. There is motivation to act: Researchers need publications to sustain their careers, and they need to get good results to receive funding for their work and to get that work published. If one's data leads nowhere, the ethical response is to shrug it off and move on. But if one is facing a job review or a grant review, one has to have something to show for the time and effort that this research claimed. So, with career benefits dependent on successful work, and huge potential costs to failure, we can well imagine that some people will "alter" some of their findings in order to make it work. Informally, anecdotal accounts suggest that most of this data editing is in the form of trimming, the elimination of a small number of inconvenient measures in order to strengthen the presentation of the underlying pattern. Such trimming does not involve making up data so much as convincing oneself that the pattern is real and that the outliers are somehow unreliable.

Of course, students face similar pressures when their grades depend on their results. And I can attest that most instructors do not make such generous assumptions about the academic integrity of student papers. But I can offer one important piece of advice based on the professional norms of our field. You can legitimately earn a decent grade by accurately explaining why the data you collected failed to answer your research question. But you can also legitimately fail a class for pretending that you have proven something that is generally recognized as untrue. To put that differently, research is about answering research questions. It is not about finding the answers that we were hoping to find. If the data does not support the hypothesis, then you still have an answer.

3.12: Why It Works

3.12 Recognize the importance of ethical consultants in protecting the well-being of research subjects

Professional guidelines and practices for the protection of people and communities are essential to the enterprise of social research. Social research is, at heart, primarily concerned with the well-being of the people we study. Each of us in our own way is trying to make things better. So, we certainly don't want to cause harm through our efforts. Yet, as I mentioned at the start of this chapter, a lot of the ethical lapses in research planning have come about not through a lack of concern but because the researchers have failed to anticipate something. This is why it is so necessary to plan carefully and so useful to have a panel of ethical consultants at hand to review and comment on our work before we take to the field.

3.13: Why It Fails

3.13 Identify the reasons why researchers violate ethical standards

Most researchers are required to complete a basic course in human subjects' protections before they receive IRB approval for this work. These courses include brief

topical tests to ensure some amount of comprehension of the material. The students show that they understand specific threats and know which actions the law or codes of conduct require. But this does not address how they would act in a real situation in which the students personally have a great deal at stake. It's useful, but no guarantee of responsible behavior.

Researchers need to keep in mind that unexpected issues and risks can occur at any time, no matter how well prepared we are. An idle question about one's job history can trigger a traumatic story about being harassed or threatened out of a past job. Questions about someone's family might occur on the anniversary of the death of a loved one. And even though the dangers of a health-related study can generally be predicted, the actual stresses and emotional fallout that such research can trigger might be far worse than anticipated. Ready or not, you are on your own out there in the field.

Another concern is that IRB reviews can take a very long time, depending on the staffing and workload of the board. Researchers sometimes need to hit the ground running when an important event occurs, particularly an unexpected one. Yet, the need for review, often requiring multiple revisions, can make real-time research nearly impossible. This reflects the origins of the review process in which the typical and expected research project is a funded government study, often in the medical sciences. The review system does not translate well into every real situation.

IRBs exist in order to protect human subjects. But they often function mostly to protect institutions from lawsuits. For this reason, they sometimes err on the side of caution, almost totally restricting researchers' access to entire populations and rejecting *prima facie* entire modes of research as overly intrusive or inherently risky. This is not their mission. It is important to remember that research does not have to be without risk. Our goal is to identify and manage all of the risks. Excessive caution makes some researchers nostalgic for the days of excessive permissiveness.

One of the frequently talked about, but rarely acknowledged in print, side effects of tight IRB restrictions is that researchers develop strategies for getting around the review process. (I am not going to describe any of those strategies here for what I hope are obvious reasons.) While many people involved in such practices strongly believe that their own expertise is a better guarantee of the safety of their human subjects, and while they perceive some of the review requirements to reflect ignorance or timidity, the fact of researchers getting around the IRB process means that not all research is properly reviewed. And surely there are enough examples of bad research decisions in our fields that we should not want that.

TRYING IT OUT

Suggestion 1

You have been asked to sit on an institutional review board to consider a doctoral student's planned dissertation project. The summary for this research follows:

> My proposed research will involve an observational study of children's classroom behavior, and the effect of praise on student performance. I propose to use sixth-grade students in a local public school. I plan to enter the setting as a student teacher (the teacher of record will be told what my real purpose is). I will then divide the class into two separate groups. One group of children I will frequently compliment and praise for being smart, clever, intelligent, and good students. The other group I will largely ignore, or when pressed, comment that they are doing an adequate job. I will collect field notes on how members of each group tend to interact with each other and their teacher. I will additionally collect discrete data (their various exam and essay scores for the class) to see if my use of positive labels affects their class performance.

After reading the foregoing summary of the proposal, answer the following questions:

1. What are some of the important ethical concerns to consider regarding this proposed research project?
2. If you were the researcher, what might you do to respond to the comments made in question 1?
3. What safeguards should the researcher take to protect the subjects in this particular study?