

# Research Ethics and Integrity for Social Scientists

Mark Israel

2<sup>nd</sup> Edition



# Research Ethics and Integrity for Social Scientists

**SAGE** has been part of the global academic community since 1965, supporting high quality research and learning that transforms society and our understanding of individuals, groups, and cultures. SAGE is the independent, innovative, natural home for authors, editors and societies who share our commitment and passion for the social sciences.

Find out more at: **[www.sagepublications.com](http://www.sagepublications.com)**

# Research Ethics and Integrity for Social Scientists

Beyond Regulatory Compliance

Mark Israel

2<sup>nd</sup> Edition



Los Angeles | London | New Delhi  
Singapore | Washington DC



Los Angeles | London | New Delhi  
Singapore | Washington DC

SAGE Publications Ltd  
1 Oliver's Yard  
55 City Road  
London EC1Y 1SP

SAGE Publications Inc.  
2455 Teller Road  
Thousand Oaks, California 91320

SAGE Publications India Pvt Ltd  
B 1/I 1 Mohan Cooperative Industrial Area  
Mathura Road  
New Delhi 110 044

SAGE Publications Asia-Pacific Pte Ltd  
3 Church Street  
#10-04 Samsung Hub  
Singapore 049483

---

Editor: Katie Metzler  
Production editor: Sushant Nailwal  
Copyeditor: Andy Baxter  
Proofreader: Dick Davis  
Indexer: Caroline Eley  
Marketing manager: Sally Ransom  
Cover design: Shaun Mercier  
Typeset by C&M Digital (P) Ltd, Chennai, India  
Printed and bound by CPI Group (UK) Ltd,  
Croydon, CR0 4YY [for Antony Rowe]



© Mark Israel 2015

This second edition first published 2015

First published 2006, reprinted in 2008, twice in 2009,  
2010, 2011, 2012 and 2013

Apart from any fair dealing for the purposes of research or private study, or criticism or review, as permitted under the Copyright, Designs and Patents Act, 1988, this publication may be reproduced, stored or transmitted in any form, or by any means, only with the prior permission in writing of the publishers, or in the case of reprographic reproduction, in accordance with the terms of licences issued by the Copyright Licensing Agency. Enquiries concerning reproduction outside those terms should be sent to the publishers.

**Library of Congress Control Number: 2014938160**

**British Library Cataloguing in Publication data**

A catalogue record for this book is available from  
the British Library

ISBN 978-1-4462-0748-2

ISBN 978-1-4462-0749-9 (pbk)

At SAGE we take sustainability seriously. Most of our products are printed in the UK using FSC papers and boards. When we print overseas we ensure sustainable papers are used as measured by the Egmont grading system. We undertake an annual audit to monitor our sustainability.

# Contents

<i>List of Tables</i>	vi
<i>About the Author</i>	vii
<i>Acknowledgements</i>	viii
<i>Abbreviations</i>	ix
1. Why care about ethics?	1
2. Ethical approaches	9
3. Codes and principles	24
4. Regulating ethics	45
5. Informed consent	79
6. Confidentiality	102
7. Avoiding harm, doing good and seeking justice	123
8. Integrity and misconduct	147
9. Relationships	168
10. Beyond regulatory compliance	185
<i>References</i>	192
<i>Author Index</i>	237
<i>Subject Index</i>	242

# List of Tables

3.1	Ethical codes and regulatory developments since 1945	24
5.1	Terms developed in Faden and Beauchamp's <i>A History and Theory of Informed Consent</i> (1986)	80
6.1	Contractual procedures for protecting the confidentiality of individuals in research projects using administrative microdata files	106
6.2	Methods for data alteration	112
6.3	Attempts to obtain confidential research data through the legal system	114
8.1	Overt and covert misconduct (from Sterba, 2006)	152

# About the Author

Mark Israel is Winthrop Professor of Law and Criminology in the Faculty of Law at the University of Western Australia. He has a degree in law and postgraduate qualifications in sociology, criminology and education. He has published on research ethics and integrity, higher education and research policy, political exile and migration, criminology and socio-legal studies. His books include *South African Political Exiles in the United Kingdom* (Palgrave Macmillan, 1999), *Crime and Justice* (Thomson Reuters, 2006, eds with Goldsmith and Daly), and *Research Ethics for Social Scientists: Between Ethical Conduct and Regulatory Compliance* (Sage, 2006, with Hay).

He has won teaching and research prizes in Australia, the United Kingdom and the United States, including the Prime Minister's Award for Australian University Teacher of the Year in 2004. Mark has undertaken consultancy for, among others, the National Health and Medical Research Council, the Commonwealth Scientific and Industrial Research Organisation, Federal and State governments in Australia, as well as the European Research Council, and a range of higher education institutions and professional associations in Australia, Hong Kong, New Zealand and the United Kingdom.



# Acknowledgements

Like most books, this would not have been completed had it not been for the kind assistance of family, friends and colleagues. For allowing me time, I am grateful to Deborah Hersh and the boys, and to my colleagues in the Faculty of Law at the University of Western Australia. For their valuable comments, I would like to thank Antje Deckert, Iara Guerriero, Linda Hantrais, David Hunter, Cathy Pitkin, Barry Poata Smith, Martin Tolich, Will van den Hoonaard and Lisa Wynn.

Since 2007, I have worked, as part of the Australasian Human Research Ethics Consultancy Services (AHRECS) with Gary Allen and Colin Thomson on a fascinating variety of projects on ethical conduct, research integrity and regulatory compliance. Gary and Colin have challenged and sharpened my understanding of ethical guidelines and regulations and have gently but persistently encouraged me to think more creatively and constructively.

*Research Ethics for Social Scientists* was the result in 2006 of a long-standing collaboration with Iain Hay at Flinders University. When Iain decided not to revisit this book, he agreed that I could continue alone. While I take responsibility for all changes to the first edition, this volume owes much to that book and, obviously, to Iain. The first book contained a range of elements no longer appreciated in research monographs by assessors of research excellence. In Australia, their evaluations are likely to shape university funding. I was particularly sad to cut the Appendix which I thought encouraged multiple perspectives to enter learning and teaching in research ethics. I have replicated that material at [www.ahrecs.com](http://www.ahrecs.com) and will add further case studies there as they flow from other projects.

Finally, I would like to express my appreciation to Katie Metzler of Sage Publications, for her encouragement, and willingness to share my sense of humour. Paddling across a lake may encourage serenity and reflection. All too often, it also yields a cliché. One I could not resist.

Mark Israel  
Perth, Australia

# Abbreviations

AAA	American Anthropological Association
AAAS	American Association for the Advancement of Science
AARE	Australian Association for Research in Education
AAU	Association of American Universities
AAUP	American Association of University Professors
AEA	American Economic Association
AERA	American Educational Research Association
AHEC	Australian Health Ethics Committee
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ALLEA	ALL European Academies
APA	American Psychological Association
ARC	Australian Research Council
ASA	American Sociological Association
AV-CC	Australian Vice-Chancellors' Committee
BERA	British Educational Research Association
BPS	British Psychological Society
BSA	British Sociological Association
CAIRE	Committee on Assessing Integrity in Research Environments (United States)
CCA	Corrections Corporation of America
CEHAT	Centre for Enquiry into Health and Allied Themes (India)
CIOMS	Council for International Organizations of Medical Science
CITI	Collaborative Institute Training Initiative (United States)
CONEP	National Commission for Ethics in Research (Brazil)
COPE	Committee on Publication Ethics
CPC	Correctional Privatization Commission (United States)
CSAA	Canadian Sociology and Anthropology Association
CTCWG	Canadian Tri-Council Working Group
DHEW	Department of Health, Education and Welfare (United States)
DHHS	Department of Health and Human Services (United States)
ESRC	Economic and Social Research Council (United Kingdom)
EUREC	European Network of Research Ethics Committees
FERCIT	Forum for Ethical Review Committees in Thailand

## ABBREVIATIONS

FRE	Framework for Research Ethics (United Kingdom)
FUNAI	National Indian Foundation (Brazil)
GERAIS	Guidelines for Ethical Research in Australian Indigenous Studies
HREC	Human Research Ethics Committee (Australia)
HSFR	Swedish Council for Research in the Humanities and the Social Sciences
HSRCSA	Human Sciences Research Council of South Africa
ICMJE	International Committee of Medical Journal Editors
ICMR	Indian Council of Medical Research
IRB	Institutional Review Board (United States)
IRENSA	International Research Ethics Network for Southern Africa
MHC	Māori Health Committee (New Zealand)
MRCSA	Medical Research Council of South Africa
NCESSRH	National Committee for Ethics in Social Science Research in Health (India)
NCPHSBBR	National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research (United States)
NESH	National Committee for Research Ethics in the Social Sciences and Humanities (Norway)
NHMRC	National Health and Medical Research Council (Australia)
NHRPAC	National Human Research Protections Advisory Committee (United States)
NIH	National Institutes of Health (United States)
NSERC	Natural Sciences and Engineering Research Council (Canada)
OHRP	Office for Human Research Protections (United States)
OHSR	Office of Human Subjects Research, NIH (United States)
OPRR	Office for Protection from Research Risks (United States)
ORIOUS	Office of Research Integrity (United States)
OSTP	Office of Science and Technology Policy (United States)
PRE	Panel on Research Ethics (Canada)
RCUK	Research Councils United Kingdom
REB	Research Ethics Board (Canada)
REC	Research Ethics Committee (Denmark)
REF	Research Ethics Framework (United Kingdom)
SARETI	South African Research Training Initiative
SRA	Social Research Association (United Kingdom)
SRC	Swedish Research Council
SSHRC	Social Sciences and Humanities Research Council (Canada)
SSHWC	Social Sciences and Humanities Research Ethics Special Working Committee (Canada)
TCPS	Tri-Council Policy Statement (Canada)
TENK	The Finnish National Advisory Board on Research Integrity
TRREE	Training and Resources in Research Ethics Evaluation

## ABBREVIATIONS

UNESCO	United Nations Educational, Scientific and Cultural Organization
USPHS	United States Public Health Service
WAME	World Association of Medical Editors
WHO	World Health Organization
WMA	World Medical Association



# ONE

## Why Care About Ethics?

---

### Introduction

Social scientists are angry and frustrated. Still. They believe their work is being constrained and distorted by regulators of ethical practice who neither understand social science research nor the social, political, economic and cultural contexts within which researchers work. In many countries, including Australia, Brazil, Canada, India, New Zealand, the United Kingdom and the United States, researchers have argued regulators are imposing, and acting on the basis of, biomedically driven arrangements that make little or no sense to social scientists. How did we reach this point? How is it that social scientists find themselves caught between their clear commitment to ethical conduct and unsympathetic regulatory regimes with which they are expected to comply? Why is there such antagonism between researchers who believe they are behaving ethically and regulators who appear to suggest they are not? How can this happen when regulators are often also researchers? Finally, how do we move beyond merely assuaging the concerns of regulators and focus on thinking creatively and intelligently about ethical conduct?

In this book, I set out to do four things. The first is to demonstrate the practical value of serious and systematic consideration of ethical conduct in social science research. Second, I identify how and why current national and international regulatory regimes have emerged. Third, I seek to reveal those practices that have contributed to adversarial relationships between researchers and regulators. Finally, I hope to encourage all parties to develop shared solutions to ethical and regulatory problems.

It is disturbing and not a little ironic that regulators and social scientists find themselves in this situation of division, mistrust and antagonism. After all, we each start from the same point: that is, that ethics matter. Indeed, we share a view that ethics is about what is right, good and virtuous. None of us sets out to hurt people. None of us seeks to draw research into disrepute. In this chapter, I outline why social scientists do, and should, take ethics seriously. I return later to describe the structure of this book.

## Protecting others, minimizing harm and increasing the sum of good

---

Ethical behaviour helps protect individuals, communities and environments, and offers the potential to increase the sum of good in the world. As social scientists trying to make the world a better place we should avoid (or at least minimize) doing long-term, systematic harm to those individuals, communities and environments. Sadly this has not always occurred. But, this is not a book of lists of research misconduct. This is also not a book that equates brutality, exploitation and indifference in the name of medical research with those physical, economic, social, financial and psychological harms that have flowed from social science research projects. However, there are examples in this book where social scientists have condemned the actions of their peers when: social scientists were coopted into American intelligence and military operations in Iraq and Afghanistan; political scientists involved in embedded experimentation may have enabled the use of repressive measures by state agencies; Harvard sociologists studying Facebook failed to protect the anonymity of their students; Australian experimental psychologists replicating Stanley Milgram's studies caused long-term distress to their participants; American historians and Dutch social psychologists engaged in fabrication and falsification; Chinese anthropologists at Beijing University were censured for plagiarism; and economists became mired in conflicts of interest following the Global Financial Crisis. Clearly, some research is antithetical to the emancipatory aspirations of social science, and undermines the legitimacy of our disciplines and our ability to work with the wider community.

## Assuring trust

---

Social scientists do not have an inalienable right to conduct research involving other people. That we continue to have the freedom to conduct such work is, in large part, the product of individual and social goodwill and depends on us acting in ways that are not harmful and are just. Ethical behaviour may help assure the climate of trust in which we continue our socially useful labours. If we act honestly and honourably, people may rely on us to recognize their needs and sensitivities and consequently may be more willing to contribute openly and fully to the work we undertake. When we behave ethically as social scientists, we maintain the trust of the various 'publics' with and for whom we work. In some cases where prior trust might have been violated we may have to work very hard if people are once again to have faith in us.

Incautious practice and cultural insensitivity can lead to community withdrawal of support for social science research. The effects of ethically questionable research on an institution's or individual's capacity to work with affected communities can be profound and of long duration. Not only might communities withdraw their support, but so too might the organizations that back and oversee research. The Office for Human Research Protections has suspended research in a number of major United States institutions as a result of malpractice outside the social sciences. Suspension means the end of: federal government research funding; data analysis; travel to conferences; years of work; and, for some, the shredding of professional reputations.

So, it is important to avoid causing suspicion and fear, and thereby maintain the trust of sponsors and broader communities, for it is from a position of trust that we are able to continue the work that we – and hopefully others – value.

## Ensuring research integrity

---

By caring about ethics and by acting on that concern we promote the integrity of research. Since much of what we do occurs without anyone else watching, there is ample scope to conduct ourselves in improper ways. For instance, researchers can fabricate quotations or data or gain information under false pretences. No one might ever know. In some forms of work, such as those involving covert methods where the anonymity of subjects and locations is protected, it is difficult – if not impossible – for other social scientists to validate the research. If we can assure ourselves and our colleagues that we are behaving ethically, we can be more confident that the results of work we read and hear about are accurate and original.

Our individual research endeavours form part of interconnected local, national and international networks of activity. We build incrementally on each other's advances. If any of these contributions are inaccurate, unethically acquired or otherwise questionable, we all bear the costs. Poor practices affect not only our individual and professional reputations but also the veracity and reliability of our individual and collective works.

However, the pressures on academic integrity are growing. The greater dependence of universities and their researchers on sponsorship and the linking of government grants and salary increments to research performance have heightened the prospects of unethical behaviour by researchers. Relationships of integrity and trust between colleagues draw, in part, from modelled good behaviour. Conversely, unethical researchers appear to model unethical behaviour for their colleagues. It is vital therefore that students, colleagues and other community members see us setting good examples by behaving ethically.



## Satisfying organizational and professional demands

---

In the face of a mountain of popularly reported evidence of corruption, scientific misconduct and impropriety from around the world, there are now emerging public and institutional demands for individual accountability that form the basis of another reason to care about ethics. Schools, universities, funding agencies, employers and professional societies all seek to protect themselves from the unethical actions of an employee, member or representative. The prospect and reality of legal action is driving many universities to monitor research practices more closely as part of broader risk management strategies. As costs of failing to comply with institutional requirements rise, individual researchers may be inclined to reflect on their own practices, if only as a matter of self-preservation.

Coupled with institutional and individual self-preservation as reasons for social scientists to behave ethically is the role of ethics in professionalization. Historically, professionalization has played a role in sealing 'a bargain between members of the profession and the society in which its members work' (Marcuse, 1985, p. 20). As part of claims to professional status for their members, professional bodies adopt processes and procedures for self-regulation of members' moral conduct. In return, members of those organizations lay claim to professional status and receive special associated rights that might include the ability to conduct research with particular individuals and communities.

Research ethics governance sits within broader structures and power relations and is shaped by and may even shape a combination of macro and micro forces that include government policies, economic indicators, social trends, institutional politics and resources. Some stakeholders seek to extend the remit of ethics review by both intensifying its gaze and expanding the areas for which it claims oversight in an effort to support ethical research or, at least, to stop malpractice. Others oppose what they term 'ethics creep' (Haggerty, 2004) and 'ethical imperialism' (Schrag, 2010a). Adrian Guta and his colleagues argued that, in Canada at least, the result is a 'simultaneous growing and retreating of ethics review as it expands into new terrain while losing control of its traditional domain' (2013, p. 307).

## Coping with new and more challenging problems

---

Social scientists commonly confront ethical problems. Not only are ethics an everyday matter of research practice but they may be becoming more complex. This reflects new methodological and technological patterns of working in social sciences as well as broader social, political and economic shifts in our

societies. Codes, regulations and even training materials may offer little help if, subject to a cultural lag, they struggle to grapple with new conditions. Individually and collectively, researchers have little choice but to identify and work through the ethical issues, reflecting upon and justifying their decisions as best they can. Some issues are very familiar. Some have been addressed in some contexts, but are more difficult when encountered in new environments. Some issues are completely new to social scientists.

For instance, following renewed interest in videoethnography as a research tool (Heath et al., 2010), scholars need to: identify the potential uses to which the images may be put; minimize the possibility of causing distress to families of participating patients in health institutions; ensure the anonymity of participants; obtain consent from incidental people who enter the frame; negotiate access to those parts of the institution controlled by professional groups that are not participants in the study, maintain data security and control secondary use of data. Educational researchers are familiar with having to protect students from the effects of non-participation in research but not necessarily with the social and educational consequences of locating students who do not wish to be filmed in a 'blind spot' in a classroom.

Take another example. Mayer-Schönberger and Cukier (2013) claimed the emergence of predictive analytics and mining of petabyte-sized datasets containing billions of pieces of information, so called 'big data', will undercut the concept of informed consent in research. Political scientists studying everyday political communication in Scandinavia were able to gather over 100,000 'tweets' using just one election-related hashtag on Twitter covering a one-month period in the lead up to the Swedish national election in 2010 (Moe and Larsson, 2012). It was impractical to obtain consent from all the communicators and, even if it were possible, this might have introduced a bias into the sample. So, the researchers had to argue with a research ethics committee in Sweden and the privacy commissioner in Norway that publishing on Twitter constituted a public rather than a private act.

New disciplines are engaging in human research as they move beyond traditional boundaries. Empirical research is growing in computer sciences, particular in those parts of the discipline that investigate human-computer interaction (HCI), and the line between human and non-human data is blurred in data aggregation, transaction log analyses, and data mining and linking processes (Buchanan et al., 2011). In some cases, testing of HCI can even place human operators at physical risk. For example, testing mountain search-and-rescue drones may put human rescue teams in danger of triggering an avalanche. In the field of information and communication technologies for development (ICTD), researchers explore ways technologies might be used to promote social aims. Some research may be interventionist, with new technology being trialled in locations targeted for development aid. Discussions of

research ethics are rare in ICTD, but Dearden (2013) pointed to the need to assess the socioeconomic, cultural and political factors in a disadvantaged community that might influence: how harms and benefits might be distributed; the line between coercive inducement and fair compensation; the connections between research, aid and development; and, who might be considered legitimate representatives of the collective group.

Many non-social scientists now need to understand the ethics of gathering and using social science data as a result of their interactions with stakeholder communities. However, social scientists working within multidisciplinary teams also need to be able to tackle the novel ethical issues that arise as a direct result of their collaborative approaches. At the Commonwealth Scientific and Industrial Research Organisation (CSIRO), Australia's national science agency, anthropologists, sociologists, psychologists and economists work with scientists in multidisciplinary teams to explore connections between natural, agricultural, industrial and urban ecosystems and social and economic processes inside and outside Australia. These teams also analyse community and agency perspectives on climate change and energy technologies, and study human-technology interactions in order to create new tools and platforms for information and communication technologies. Researchers need to reach ethically-defensible practice in situations rarely encountered in the research ethics literature. For example, teams of biophysical and social scientists working to improve farming yields in the Sahel or south-east Asia, energy efficiency in households, or seeking to understand the environmental impact of indigenous water use, fire management or fishing need to consider the patterned impact their findings may have on social justice in host communities.

Change bears not only on the character of ethical issues social scientists face, but also on the broader context within which researchers and their research are received in communities. In many settings, and on the basis of the heightened profile of various scientific, biomedical, social, political and environmental controversies, potential participants may be attuned to ethical issues. They know when they are not being consulted and are well aware of some of the harms caused by thoughtless researchers. Participants are less likely now to accept that researchers know best. Where a project is based on participant action research, professional researchers may therefore need to rethink their role in shaping responses to ethical questions.

At the same time as we are confronted by such new challenges, traditional religious and other sources of moral justification are, for many people, decreasing in authority. The blame for drifting moral anchors has been associated with all manner of social change and a variety of events, from liberalism to sexual scandals, and to increasing social fragmentation with corresponding declines in civic life and engagement. More broadly, but perhaps as part of the same cultural processes, the decline in moral authority has been linked to postmodernism. Some critics such as Zygmunt Bauman (1993) and Jean-François Lyotard

(1979) have gone so far as to suggest that, through its 'incredulity towards metanarratives', postmodernity has dashed notions of universal, solidly grounded ethical regulation.

Facing the collapse of metanarratives, Slavoj Žižek (2000) claimed we look to create a panoply of smaller entities (like research ethics committees) that might assert authority over a particular portion of our lives. These, he argued, were bound to fail because they reproduce and embed the cynicism associated with our times. More simply put, perhaps postmodernism – as one of the most profound influences on social scientific thought of the past three decades – has, together with Feminist, Critical and Indigenous perspectives, encouraged debate about authoritative definitions and singular narratives of events. As a result, it raises questions about the legitimacy of any individual or institution's claims to moral authority.

## From concern to conduct

---

Social scientists are concerned about ethics. We behave in ways that are right and virtuous: for the sake of those who put trust in us and our work; for those who employ us, fund our research, and otherwise support our professional activities; and as a result of our own desires to do good. Less charitably, we may also be motivated to behave ethically by desires to avoid public censure.

Unfortunately, some find it is more difficult to act ethically than it should be. Why? In part, many of us do not possess the philosophical training that allows us to negotiate effectively with biomedical scientists and ethicists about appropriate means of regulating social science research. So, in the next chapter, I offer a short and accessible overview of ethical theory as a non-ethicist writing for non-ethicists.

I argue that researchers need to develop better understandings of the politics and contexts within which ethics are regulated. Chapter 3 focuses on the development of the major codes and principles that have underpinned institutional approaches to ethical regulation since 1945. Though all are statements on biomedical research, each has influenced the regulatory trajectories for social science. This impact has been felt across the world. I examine a broad range of jurisdictions in Chapter 4.

Researchers also need to be reflexive, holding up their activities to ethical scrutiny. Chapters 5 to 9 investigate how social scientists have developed and evaluated their practices around the concepts of informed consent, confidentiality, beneficence, non-maleficence, justice, research integrity and the problems relating to research relationships. These chapters reveal tensions within the research community as well as between researchers' beliefs about what is right and research ethics committees' ideas about what is correct.

This book does all that *Research Ethics for Social Scientists* did, and more. Each chapter has been extensively revised and the majority of the book is indeed new. It responds to limitations of the first volume – reviewers were overwhelmingly positive but there were several areas that deserved greater attention. It also looks forward to the future of the social sciences and considers how ethical conduct and research ethics governance might grapple with new research environments, technologies, interactions and methodologies. As a result, this book updates its coverage of regulation and guidelines, including an examination of the UNESCO Declaration (2005), Australia's National Statement (2007), Canada's revised Tri-Council Policy Statement (2010), the Singapore Statement on Research Integrity (2010), the United Kingdom's Framework for Research Ethics (2012), Brazil's Resolution 466/12 (2012), the New Brunswick Declaration (2013) and the Declaration of Helsinki (2013). It assesses those approaches such as virtue ethics, situated ethics, feminist, post-modernist and postcolonial approaches that challenge the orthodoxy that underlies most ethical codes and guidelines. It extends international coverage well beyond North America, Australasia, the United Kingdom, South Africa and the Nordic countries to include far more on Asia, Latin America and Africa. It explores new frontiers for social science research ethics: international, comparative and transnational research; new technologies and digital tools, including internet-mediated research; interdisciplinary research beyond the social sciences; research with Indigenous peoples; evaluation and commercial research. Finally, as the change in the title of this book implies, I explore the connections between research ethics and research integrity.

This book is even more ambitious than its predecessor, but it remains practical and realistic. It is ambitious because it deals with a broad array of topics: ethical theory, ethical regulation in different jurisdictions, and ways of resolving ethical dilemmas. It spans a far greater range of subject material than other recent works on social science research ethics. It is practical in that it is a book written in accessible language and informed by my experience communicating some of the ideas in this book to diverse audiences. Finally, the book is realistic. It is based on an appreciation of the practical dimensions to ethical conduct in social science research. In the final chapter I argue that, as social scientists engaging with non-social scientists, we need to increase both the perceived and actual legitimacy of our research investigations. As a result, we have to present and defend cogently the ethical nature of our activities both individually at the local level and collectively at local, national and international levels.

# TWO

## Ethical Approaches

---

### Introduction

Ethics, in the words of Tom Beauchamp and James Childress (1994, p. 4), is 'a generic term for various ways of understanding and examining the moral life'. It is concerned with perspectives on right and proper conduct. Not surprisingly, the disciplines that analyse ethics have their own discursive practices, many of which are opaque to outsiders. This makes it difficult for non-ethicists to find a language to discuss issues of ethics across disciplinary boundaries. This chapter is aimed at opening up the language of normative ethics to develop a common lexicon for social scientists.

Normative ethics offers the moral norms which guide or indicate what one should or should not do in particular situations. It provides frameworks – sometimes contradictory – that allow us to judge people's actions and decisions as 'right' or 'wrong', 'good' or 'bad'. The primary question in normative ethics is 'how may or should we decide or determine what is morally right for a certain agent ... to do, or what he [sic] morally ought to do, in a certain situation' (Frankena, 1973, p. 12). That is, on what grounds can we decide whether an act is right? This is a difficult question because the criteria employed for considering whether an act is 'right' or 'wrong' are variable, and, in some instances, quite contradictory.

Most studies of research ethics concentrate on a limited number of approaches. Consequentialism and non-consequentialism (deontological approaches) are both act-oriented approaches. These have been the dominant ways of assessing ethical behaviour in the West since the end of the nineteenth century. More often than not, books on research ethics work through these ethical theories but struggle to apply these approaches directly to the substantive issues that confront researchers. Ethical principles and codes, and the overall approach of principlism, represent attempts to provide an intermediate step between theory and practice, grounded in, justified by, but also guiding application of theory (Kitchener and Kitchener, 2009). However, the dominance of both consequentialism and non-consequentialism has been threatened by

both longer-standing and newer ways of thinking. As I discuss later in the chapter, these approaches shift attention from abstract principles and universalist claims to either the ethical agent as decision-maker (virtue ethics), or the particular context or the relationship within which decisions are made (situational ethics, feminist, postmodernist and postcolonial approaches).

## Consequentialist approaches to ethics

---

Consequentialist theories (sometimes also known as teleological approaches) draw from the works of Jeremy Bentham (1781/2000) and John Stuart Mill (1863). In its most common form, consequentialists maintain an action can be considered to be morally right or obligatory if it will produce the greatest possible balance of good over evil (Reynolds, 1979). That is, the moral status of an action is determined by evaluating the balance of its good and bad consequences. If the benefits that flow from a decision or action outweigh the risks of either not acting or of doing something else, then the action may be morally desirable or defensible. Consequentialist approaches to ethical decision-making mean, of course, that we must know what is good or bad. For instance, are pleasure, knowledge, power, self-realization and growth necessarily good? Are pain and ignorance necessarily bad?

In this approach, the consequences of an action determine its merit, not the intent or motivation that lie behind it. From a consequentialist position, an ill-intentioned act with beneficial outcomes may be understood to be more appropriate than a well-intentioned act with undesirable consequences. Breaking a promise or violating some other trust might be seen by some people as immoral, but that same action could be justified from the consequentialist approach on the grounds that it produced a greater benefit than the costs imposed or because it reduced the overall level of 'evil'. So, for example, one might argue that it would be appropriate to violate and make public the secret and sacred 'women's knowledge' of an Indigenous community to prevent the construction of a road through the sacred places associated with that knowledge. Or a social scientist might choose to avoid making public the results of research revealing that residents of undesirable parts of a city lie to prospective employers about their addresses to heighten their chances of securing employment.

Utilitarianism is the best-known form of consequentialism. It takes up Mill's (1863) principle of utility, summarized by Kimmel: 'an individual ought to do that act that promotes the greatest good, happiness, or satisfaction to most people' (1988, p. 45). Utilitarianism asks 'How does the action impinge on everyone affected by it?'. From a utilitarian perspective, no one person – including the

decision-maker – is more important than other people in this determination. Utilitarian perspectives may be subdivided into *act-utilitarian* and *rule-utilitarian* approaches. In the former the act that is ethically correct is the one that, for the largest number of people yields the greatest level of happiness or the highest average for happiness (average utilitarianism). Alternatively, it might be the one that leaves the most people at a satisfactory level (satisficing utilitarian) or at the lowest level of suffering (negative utilitarianism). The rule-utilitarian perspective sees ethical determinations made on the basis of a higher level of abstraction, those consequences that would flow from a particular rule instituted (and generally applied) by the act, not from the act itself.

Critics of consequentialism have noted the difficulties – if not the impossibility – of evaluating the consequences of every act, for every person, for all time (Sinnott-Armstrong, 2003). They have also suggested the approach encounters difficulties in situations where, for instance, it might allow slavery or torture if the benefits to the majority outweigh the harms to those enslaved or tortured. Specific versions of consequentialism have addressed this problem with some success, including those developed by Bentham himself (see, for example, Kelly, 1989).

## Non-consequentialist approaches to ethics

---

Non-consequentialist, or deontological, theories take considerations other than good and bad effects into account when deciding on an ethical course of action. They:

deny what teleological theories affirm. They deny that the right, the obligatory, and the morally good are wholly ... a function of what is nonmorally good or of what promotes the greatest balance of good over evil for self. (Frankena, 1973, p. 14)

More colourful perhaps than Frankena's quote is a Latin proverb used as a deontological slogan: 'Let justice be done though the heavens fall'. In other words, non-consequentialist approaches reject the notion that what is 'right' can be determined by merely assessing consequences. Indeed, something may be regarded as morally right or ethically obligatory even if it does not promote the greatest balance of good over evil. Since, in this approach, the balance of good over evil for an individual or community provides insufficient grounds for determining whether behaviour is moral or ethical, then considerations other than harmful consequences need to be taken into account. Certain acts are good in themselves. They are morally right or obligatory because, for example, they keep a promise, show gratitude or demonstrate loyalty to an



unconditional command. Returning to the example of the researcher given access to sacred Indigenous 'women's knowledge', a deontological view might require the researcher to maintain the confidence, even if non-disclosure meant construction of the road would destroy sacred places.

Like their consequentialist counterparts, deontological approaches to ethics can have an act- or rule-focus. *Act-deontological* (or *particularist*) approaches acknowledge that general rules may not be applicable in every situation and suggest principles or rules applied by individuals should recognize those unique circumstances. This approach has been summed up in the phrase 'do the right thing'. *Rule-deontological* approaches take a less contextually sensitive approach and give firm priority to rules.

Deontological theories are most closely associated with the work of Immanuel Kant (1785/2005). Kant's position was that obligations do not flow from consequences but instead from a core expectation that we should treat ourselves and others in ways consistent with human dignity and worth. An aim of Kantian thought is to make this somewhat vague exhortation more precise. How might we know, for example, what is the 'right thing' to do? The key to that refinement lies in the categorical imperative which has been translated from the original German as: 'I shall never act except in such a way that I can also will that the maxim of my action become a universal law'. That is, one should act only in ways that one would wish or recommend all other people to act. It is important to note this is not the same as the so-called Golden Rule – 'do unto others as you would have them do unto you' – for two reasons. First, the Golden Rule provides moral guidance on the basis of a previous moral judgement about how you believe others would treat you. Second, the Golden Rule does not allow a person to generate judgements about how to treat themselves. So, for example, the categorical imperative would suggest to an individual that he or she has a moral duty not to commit suicide. This same conclusion could not be reached through the Golden Rule.

In summary, consequentialist approaches see the judgement of acts as ethical or not on the basis of the consequences of those acts. Deontological approaches suggest that our evaluation of moral behaviour requires consideration of matters other than the ends produced by people's actions and behaviours. Deontological approaches emphasize duties, or doing what is right – irrespective of consequences. Consequentialism exhorts us to promote the good; the latter to exemplify it. Pettit (1993, p. 231) makes the point: for consequentialists,

agents are required to produce whatever actions have the property of promoting a designated value, even actions that fail intuitively to honour it. Opponents of consequentialism see the relation between values and agents as a non-instrumental one: agents are required or at least allowed to let their actions exemplify a designated value, even if this makes for a lesser realization of the value overall.

Jim Thomas (1996) invited us to consider the fictional case of two researchers who had promised participants complete confidentiality in exchange for information. Having discovered from prison staff how particular prisoners were mistreated, the researchers are subpoenaed to testify against their research participants. Thomas located the research project in prison, but the example works in other situations where revealing information might place informants at risk, and Chapter 6 considers several such examples. Thomas uses the case to demonstrate how alternate decisions might be justified by drawing on various consequentialist and non-consequentialist approaches:

One researcher broke his vow of confidentiality and testified, with unpleasant consequences for subjects. The other did not. Both appealed to the 'rules' of an ethical theory to justify their actions. The researcher who testified adhered to an act-deontological position in which the particular circumstances, abuse of authority and corresponding subversion of justice by those sworn to uphold it, compelled him in this situation to break his promise in order to fulfil a higher principle. The researcher who remained silent adhered to a rule-deontological position: He made a promise that he was duty-bound to keep, regardless of the consequences ...

Consider again the researcher who broke his vow of confidentiality to testify against his informants. If, instead of appealing to a transcendent rule, he had argued that his testimony was necessary to end abuse of prisoners by staff and thereby promote justice as a social good, he could make his case from an act-utilitarian position. By contrast, a rule-utilitarian approach is not uncommon amongst journalists who argue that invasions of personal privacy are outweighed by the public's 'right to know', or amongst researchers who intentionally lie to gain access to 'deviant' research settings on the grounds that it is the only way to obtain information on an intellectually important topic. (1996, pp. 109–110)

While distinctions between deontological and consequentialist approaches form major separations in Western normative ethics, there are other ways of approaching moral deliberations.

## **Principlist approaches**

---

Scottish philosopher W.D. Ross (1930) argued our ethical conduct should be based on widely accepted principles. These would include concepts such as fidelity, non-maleficence, justice, beneficence and self-improvement. Sometimes these principles might conflict with each other, however, in which case we ought to use our moral judgement and intuition to decide what we should do. Ross' approach avoids some of the controversial assumptions associated with consequentialism and non-consequentialism, offers a relatively simple way of doing

ethics and has broad appeal because all the principles it adopted are commonly held. Based on Ross' argument, principlism was further developed in the 1970s by American bioethicists Beauchamp and Childress specifically for research ethics, and extended by Raanan Gillon (1994) in the United Kingdom. The approach is based on *prima facie* principles of respect for autonomy, beneficence, non-maleficence and justice. The term *prima facie* was introduced by Ross and implies a principle is binding unless it conflicts with another, in which case it is necessary to choose between principles (Gillon, 1994; Dancy, 1993). Principlism offers calculability and simplicity in ethical decision-making irrespective of 'deeper epistemological or theoretical commitments' (Evans, 2000, p. 33). Indeed, Evans observes that the foremost advocates of principlism, Beauchamp and Childress, were a professed rule-utilitarian and rule-deontologist respectively.

In a piece that looked at the historical emergence of principlism, Evans (2000) linked its development to needs for practical and 'objectively transparent' (p. 35) ways of dealing with ethical decisions when the state began to intervene in ethics. Principlism attracted particular interest in medicine after the United States Congress decided in 1974 to identify ethical principles and guidelines for biomedical research (see Chapter 3). According to Callahan, philosophers working on bioethics during the 1970s tried to apply arguments from utilitarianism and deontology to that field, but found them to be too broad and cumbersome for clinical decision-making and policy formulation:

Principlism, as a middle level approach, seemed much more helpful and more attuned to different levels of ethical problems. It seemed to have a special appeal to physicians not too interested in ethical theory, but in need of a way of thinking through ethical dilemmas. (2003, p. 287)

Despite the claims of its advocates that principlism provides a straightforward framework for problem-solving that is 'neutral between competing religious, cultural, and philosophical theories, [and that] can be shared by everyone regardless of their background' (Gillon, 1994, p. 188), it has been criticized for a lack of foundational theory, its Western-dominated methodology, failure to capture common morality adequately, capacity to obstruct substantive ethical inquiry and contemplation, and its individualistic bias (Evans, 2000; Walker, 2009; Wolpe, 1998). More recently educational and social researcher, Martyn Hammersley (2013), argued that while principles might indeed offer a useful series of prompts, triggering consideration of particular issues, the institutionalization of those prompts in a set of regulatory principles is problematic, as a set of principles can be neither exhaustive nor can it operate as a coherent system as there is always the possibility of conflict between principles. In addition, principles might undercut attempts to tackle broader ethical issues and we always need to consider 'who is setting principles on behalf of whom, with what authority, and with what potential effects' (p. 3).