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'Responsible to Whom?: Obligations to Participants and Society in Social Science Research'

The social sciences play a crucial role in helping us understand our social world and critically and normatively reflect upon it. One might say that social scientists have a responsibility to engage in such activities in order to nurture an informed public which will then be better placed to make more informed decisions on matters of public concern, and offer innovations in our thinking about the social world that can help society better respond to changes and crises. In light of this responsibility, how should we conceptualise the nature of the relationship between the social science researcher, the research he undertakes, and the society which he hopes to both speak about and speak to? What are the obligations owed between the researcher, the individual participants in the research, and society at large? And, crucially for our purposes here, what do these tell us about the normative principles that should underpin a form of ethical regulation suited to the particularities of the social sciences? I want to explore these questions here through the issue of whose interests and rights should take priority when thinking about the appropriate ethical constraints for social science research, contrasting this with the normative assumptions that underpin the ethical regulation in the biomedical sciences. A crucial lesson of this discussion will be that it is at best inappropriate to import and impose regulation from the biomedical sciences into the realm of the social sciences, and at worst actually hinders our ability to successfully execute the responsibilities of the social scientist noted above.

The Participant Protection Model (PPM)

I want to start by setting out a model of thinking about the duties and obligations of the researcher that underpin the ethical regulation of the social sciences in those countries where it is further entrenched and developed than it is in the UK, such as Australia and the US; though I should say that I also think that the same normative and ethical commitments of this model are present in the ESRC's current Research Ethical Framework (REF) documents. This model, which I call the participant protection model (PPM), is at the heart of the ethical regulation of the biomedical sciences and, for reasons that are well-known but I cannot go explore here, has often either influenced or been directly imported as the model for thinking about similar regulation of the social sciences. The PPM prioritises the risks that any research study poses to those individuals who participate in it, seeking to protect the rights of the participants over and above the rights and interests of other individuals including the researcher and society more generally. The researcher has a moral duty not to harm those who participate in his research, an obligation which 'trumps' any other possible concerns. So it is strictly prohibited to undertake research on a participant that is likely to result in significant harm to the participant *even if* doing so is likely to lead to advances that might have substantial widespread benefits to many other individuals or society more broadly. This sort of consequentialist calculation (the harm caused to one outweighed by the benefits to many more) is rightly seen as morally inappropriate, violating as it does the respect due to that participant as an end in himself rather than a mere means to the realisation of the ends of others. While the primary aim of the research might be the increase of

knowledge and scientific or social advancement, the rights of the participants not to be harmed cannot be violated in this pursuit.

This ultimate concern for avoiding harming research participants and prioritising their rights over all other considerations clearly reflects a post-World War Two moral consensus on the primacy and the non-violability of individuals' human rights. But it also reflects a concern about the structure of research project themselves, and in particular the fact that participants of biomedical research often sit in a deeply unequal relationship of power to the researcher such that the latter's possession of greater knowledge and the former's often vulnerable status (as less knowledgeable, as sick or dependent upon the researcher for medical care, etc.) creates a context in which abuses could easily occur. One of the central normative objectives of ethical regulation in the biomedical sciences has therefore been to equalise this imbalanced or asymmetrical relationship of power by protecting the rights of the participants and severely constraining the legitimate actions of the researcher. Correcting, as far as is possible, this asymmetry of power is a key way in which the participant is respected as a moral agent and the possibility of harm further minimised.

In developing ethical frameworks for the social sciences, the temptation has always been to more or less import the PPM models employed in the biomedical sciences. There might be very good reason for this. These frameworks have often been in place for several decades and have the benefit of having evolved through testing and experience in practice. And that they have been largely successful means that they are taken to be 'models of good practice' from which there are no good *prima facie* reasons (from the perspective of the regulators that is) to deviate from. Why reinvent the regulatory wheel? Hence the PPM frameworks have been generalised and universalised to apply to all research conducted 'with or about people'. I now want to suggest that this is a mistake because the PPM contains often implicit principles or ethical commitments that are inappropriate to research undertaken in the social sciences and may hamper the ability for the social sciences to successfully execute its normative and critical social responsibilities. Once this is properly understood then *where it is the case* that the public responsibilities of the social sciences are being served, the particularities of social science research justify (contra the PPM) a presumption in favour of prioritising the public or social interest over the individual rights of participants.

Conceptualising Harm

At the heart of the PPM is an ethical concern about avoiding harming participants that is clearly informed by the abuses that litter the history of biomedical research and intended as a way of preventing instances of such scandals occurring again in the future. The first thing to say is that the social sciences differ from biomedical research insofar as the latter often involve trials and studies that may cause physical pain or even death (e.g. from the use of novel drugs or experimental surgical techniques). While it is true to say that some social science research has the possibility to cause physical harm, in the vast majority of studies the potential for causing physical harm to the participants is clearly lower than in the biomedical sciences. Where social science research does have the potential to cause harm this is more likely to be of a psychological

kind (e.g. stress, offence or upset) or harm to the participant's interests (e.g. reputation, finance, career, etc.). We should not denigrate such forms of harm as irrelevant ethical considerations, but there clearly is a sense in which the human stakes of social science research are more often than not lower than that of biomedical sciences.¹

Sometimes the aim of social science research is to explore (and often oppose) social and economic injustices, such as abuses of power, mistreatment, exploitation, malpractices, and so on, which is likely to have detrimental effects on the interests and reputation of specific individuals, groups, or corporate bodies like companies or institutions that benefit from them. In such cases it is very likely that 'social' forms of harm will be unavoidable and predictable. How do we justify this harm? One obvious route is to appeal to the objectives of the research itself, which in such cases is often to prevent or alleviate future harm by examining ways in which institutions and practices can better track the interests of those subject to them. Crucially, this is not the same as saying that causing harm is the direct intention of the research (as has been suggested elsewhere)², but it does mean that causing harm might be an inevitable and inescapable dimension of much social science research. Furthermore, such utilitarian calculations of trading-off rights seem more appropriate when the level of potential harm that could be caused to the participant is not so grave as to include physical or serious psychological pain.³ But according to the ESRC's Framework for Research Ethics (FRE), and this is indicative of injunctions included in regulatory frameworks for the social sciences elsewhere, 'Harm to research participants and researchers must be avoided *in all instances*' (2012 – emphasis added).⁴ It is therefore wrong to interview employers whose discriminatory or unjust practices the researcher was hoping to expose and thereby end, or to seek information on the relationship between politicians and particular groups or individuals that might be resulting in prejudicial policy decisions. Giving priority to the rights of the participants and employing an expansive account of harm in the manner of the PPM therefore sits in some considerable tension with the social sciences' moral

¹ The American Association of University Professors (AAUP) has recently recommended that any research that imposes no more than minimal risk of harm in its subjects should be exempt from requiring approval by an Institution Review Board (IRB). It is clear from their discussion about which methodologies are minimal risk, such as interview and surveys, that an implication of their recommendations is to exempt much social science research from the requirements of IRB approval.

² Here I disagree with Langlois who argues that the causing of harm 'may be the whole point of the exercise' of social science research (Langlois, 2011, p. 150). There is a question here, of course, as to whether what I am calling 'social harm', e.g. damage to reputation, career, employment, financial interests, etc., should count as a harm. Here I am assuming that it does insofar as it is a form of damage to the interests of the participants. This also seems to be the position of the ESRC when they define risk to include that to a subject's 'personal social standing, privacy, personal values and beliefs, their links to family and the wider community, and their position within occupational settings, as well as the adverse effects of revealing information that relates to illegal, sexual or deviant behaviour'.

³ Another way this might be justified is as a form of 'double effect', the doctrine in just war theory that harm is permissible to non-combatants in war if and only if causing that harm was the *unintentional* outcome of the pursuit of a noble or worthy outcome, even if that harm was foreseeable or inevitable. This is a controversial and complicated doctrine, but not one without its merits in a world where there is often a sizeable gap between the intentions of an action and its actual consequences.

⁴ This key principle seems to sit in some considerable tension with a claim made later in the ESRC'S FRE document that 'Not all risks can, or in some cases, should be avoided' and that, in cases such as this where research seeks to question and explore social, cultural or economic processes and in doing so negatively impact upon particular institutions or their agents, 'Principles of justice should, however, mean that researchers would seek to minimise [not eliminate] any personal harm to individual people'. As someone who works in normative political theory, I can confidently say that there is a huge amount of disagreement as to what principles of justice might demand of researchers. It is also unclear what is meant here by 'personal' harm.

responsibility to (amongst other things) explore prejudicial practices, uncover injustices and scrutinise prevailing power relationships.

It is also important to remember that the knowledge or understanding that we as social scientists seek to ascertain through our research is not knowledge about a private individual but knowledge that is of or about the *public* social or political body. Though this knowledge might be revealed as part of our interactions with individuals, we interact with them in their role as occupants of public office (e.g. elected representative, judge, a Vice Chancellor, an economic advisor to a Prime Minister) or as someone who operates in a social context beyond their private individual selves (e.g. terrorist, public broadcaster or a private broadcaster with political influence, a CEO of a company that employs significant proportion of a population, an enemy combatant). Importantly, we do not engage with them as private individuals. Likewise the knowledge that we ascertain is not private knowledge about a private individual, which an ethical framework puts very strict conditions on using or releasing, but knowledge that is public in the sense of being about the common. While the harm social science research might do can clearly affect the individual and many of their private interests, it is their public role that is of interest to us (though admittedly these are not easily separable). The point is that social science research only harms the private interests of individuals indirectly, as an often inescapable ramification of pursuing their public responsibility to study and analyse public matters. A different set of ethical considerations thus come into play and the prioritisation of individual rights and the avoidance of harm seems inappropriate.

Conceptualising the Researcher/Participant Relationship

As we have seen, a key assumption underlying the PPM is a conceptualising of the relationship between the researcher and the participant in which the inequality of power between the two creates an ethical justification for protecting the latter from potential harm from the former. The researcher is a potential threat to the participant of his research. This concern generates a series of intuitively desirable regulations such as participants must freely consent to be involved in the research (what the 1948 Nuremberg Code formally established as the first and ‘essential’ principle of research ethics) and there must be full disclosure of the purpose to which the research will be put, the nature of the information sought from the participant, and the motivations of the researcher in seeking this particular information.

This asymmetrical power relationship is often neither as stark in the social sciences as it is in biomedical research or in many instances actually completely the reverse of what the PPM assumes. There clearly are some fields of social science research in which the relationship remains balanced in favour of the researcher. Research undertaken with children or other potentially vulnerable individuals such as the elderly, immigrants, the mentally ill very often – though not always, it is important to add – place the researcher in a position of greater power with the ability and potential to cause some considerable harm. And where this is the case then it is clear that the presumption should be in favour of protecting the participants’ rights as in the PPM.

But very much social science either has a negligible asymmetry of power and knowledge or reverses the positions such that it is the researcher who is often in the weaker position and the participant in a position to potentially harm. There are several aspects of this that we need to appreciate. The first is that much social science research addresses aspects of the social world in which significant power relations are in play, and, as such, it is often the case that the individuals who will be of interest to social scientists will be those in a position of power and influence by virtue of the fact that they are decision-makers or holders of public office, or indeed by being in possession of relatively greater knowledge. They are the subject of our interest *because of* their relatively more powerful/knowledgeable position, unlike in the biomedical sciences where it is often a subject's vulnerability or weakness that makes them a suitable or interesting participant, and it is not possible to artificially equalise this relationship. And this asymmetry might also make the participant the most likely to have the authority, prestige and capacity to harm the researcher, either physically (as in the case of some more hazardous fieldwork projects) or through harming their interests (e.g. reputational, financial, cutting off future funding or access), rather than the other way around (Langlois: 2011).

It should also be remembered that when the aim of research is to criticise the status quo or to suggest better alternatives, such participants in the research are themselves interested stakeholders who may well not support the aims of the research or the purposes to which it is put (and may act in ways to protect those interests). Our research participants are often neither the disinterested objects of the natural sciences or the vulnerable individuals seeking our help. Neither therefore, in light of its social responsibilities, can the social sciences always engage in research through the gathering of information willingly or freely offered through consent.⁵ At least some research might require recourse to legal and hence coercive means to acquire information, such as the use of the Freedom of Information Act. Likewise the fact that the social sciences often comes up against vested interests and takes place in conditions of power asymmetry balanced more strongly against the researcher raises the question as to whether deception or duplicitousness is justified in the pursuit of information relevant to the public issue being investigated.⁶ Is it necessarily unethical to lie about one's religion in order to gain access to a self-professed anti-Semite? To pretend to be sympathetic to a particular form of political extremism in order to interview members of a certain party or group? And so on. Such cases clearly involve duplicitousness in which the participant is not in full possession of all the relevant information and hence being used as a means to acquiring more information rather than an end in him or herself. When information is obtained through coercion or deceit, it is hard to think of it as being voluntarily offered, and hence in keeping with the first principle of the Nuremberg Code or the fourth key principle of the ESRC's Framework for Research Ethics which states that 'Research participants must take part voluntarily, free from any coercion' (ESRC, 2012)⁷. Yet clearly fully informing the participants of the research can often radically alter the results we get, or prevent us from getting any at all. And simply asking for information that is likely to implicate particular individuals or institutions is not always likely to prove successful. Hence there is again

⁵ For an excellent discussion of the problems of consent in social science research, and in particular the standard method of declaring consent via signed forms, see Van den Hoonaard, 2008, pp. 29-32.

⁶ Interestingly the AAUP report recommends that the use of duplicitousness and deceit not be sufficient to mark a project as needing IRB approval (AAUP, 2013, p. 11).

⁷ In some cases it may violate the FRE's sixth key principle also: 'The independence of research must be clear, and any conflicts of interest or partiality must be explicit'.

a case for claiming that the ethical assumptions underpinning the PPM are not always appropriate for the social sciences, and may indeed hinder its ability to carry out its social responsibilities.

Conclusion

The social sciences are alive with healthy debates surrounding the ethics and politics of research. Indeed, and here I speak only for my own discipline (though see Dyer and Demmeritt 2009 for a similar account of debates in human geography), one of the main debates of the past decade or so in political science/theory has been the extent to which it has become increasingly abstract and disconnected from the real-world of politics as it has reflected more and more on the epistemological, ontological, metaphysical, and ideological nature of its basic assumptions and presuppositions. Far from not thinking enough about the ethical implications of our research, many have claimed that such concerns have dominated our discipline at the expense of research about politics itself (and in doing so failed to properly engage with politics as its responsibilities demand). Admittedly this sort of ethical soul searching and the sort of self-regulation that it engenders has not been communicated well beyond academia, and hence what are important ethical debates about the principles which should guide our research have been interpreted as naval gazing and slides into ivory tower irrelevance. They thus have not provided the sort of reassurance to others (society at large, funding councils, governmental institutions, etc.) that there are ethical principles which regulate our research, that these are principles which are under constant review, and that they are upheld. It may be that at least in part the imposition of a framework derived from the medical sciences reflects the fact that the social sciences have failed to properly communicate the relevance and import of these internal activities.

What I have suggested here is that the prioritising of participants rights, avoidance of harm and assumptions regarding the dominant position of power that the researcher stands in relation to the participant, assumptions that are at the heart of the PPM, are ethical commitments that do not map on to the realities of much social science research and are incongruous with it fulfilling its normative and critical social responsibilities. Does this mean, for example, that we should *always* prioritise the interests that would be served by exposing certain practices that might harm the reputation and career of research participants rather than their individual rights? Or that we must *always* be more concerned about reducing the potential harm caused to the more vulnerable researcher over and above any harm that might be caused to the relatively more powerful participant? Part of the difficulty with thinking about ethical regulation of the social sciences is that the complexities, contingencies and vagaries of our social world rarely makes it possible to determine hard and fast rules as to which should take priority. These are judgement calls and, being such, it is rarely possible to say anything beyond abstract generalities, and even those might not apply in particular concrete circumstances. And much of what I have suggested here requires us to make further judgment calls about what counts as 'public' in the first place, as a 'public role' that legitimates a private person becoming a subject of our interest, and as an issue that is truly a matter of 'public concern' or 'public interest' that justifies the use of particular methods that would otherwise be unethical. As social scientists, and in the face of creeping regulation, we must press for *our* freedom to be able to make these

judgement calls, for it is more often than not the researcher him or herself who is best-placed to make them (and to take responsibility for when the wrong decision is made). All I want to have raised in this brief paper is the thought that the ethical considerations that pertain to the social sciences *are not always* the same as those which rightly underpin the biomedical sciences, and that however our discipline is regulated, be it through the inculcation of professional values or more formal regulative frameworks, it must be through a framework that understands and enables rather than misconstrues and hinders good social science research.

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