



Cornell University

2015 Spring Responsible Conduct of Research (RCR) Symposium: Ethical Topics in Ethnographic Research

April 10, 2015 3pm- 4:30 pm, Uris Hall

INTRODUCTION

The goal of this symposium is to promote discussion of maintaining confidentiality of research participants. For some of the questions that may come up, clear ethical and professional considerations may be apparent that should lead one to a straightforward answer. In other cases variations in practices may occur across disciplines, or a spectrum of answers may be acceptable, depending on the circumstances, and therefore no one “right” or “wrong” answer is obvious.

In discussing the cases, you may use these broader questions to guide you:

- Who has a stake in the action?
- What might be the consequences of the action?
- What might be the obligations of the protagonist?
- What professional norms and values might give rise to those obligations?

CASE STUDIES

Case 1: Legal Requests for Confidential Data from Research Field Notes

(Source: <http://www.asanet.org/ethics/detail.cfm?id=all>)

Shana Researcher was conducting participant-observation work-study of risk behavior of teenagers in a local community where she lived. She was volunteering her time at a neighborhood social service organization, which offered social activities and support to teenagers. She had discussed the research project with the director and staff of the social service organization and had been introduced to teenagers as someone volunteering who was also conducting a study of teenagers' activities and attitudes. During her study she had kept field notes on activities and discussions with teenagers, both in one-to-one talks and as part of group discussions. Shana was careful to make sure that she individually and privately told any teenager new to the center that she was carrying out a fieldwork study as well as serving as a volunteer. The field notes she kept recorded discussions with teenagers about sexual activity, abortion, use of illegal drugs, smoking, problems at home and social issues.

One evening a robbery of a neighborhood store occurred. The police, when investigating the robbery, learned of Shana's study. They asked her to turn over her field notes to them, since they thought they would find information about two suspects who frequented the center. Shana refused, saying that she had guaranteed confidentiality to the individuals she had spoken with. The police told Shana that there was no privilege of confidentiality for researchers (as exists for lawyers and their clients) and obtained a court order for her field notes. If she provided the field notes she would not be fulfilling her promise of confidentiality to the research participants and the notes might be used in a criminal case against some of the teenagers. If she refused, she might be found "in contempt of court" and sent to a local jail until she agreed to provide the notes to the court.

Discussion Questions:

- What are arguments in favor of Shana refusing to turn over the field notes?
- What are arguments in favor of Shana providing the notes?
- Is there anything that Shana can do now to protect the confidentiality of her participants? What are the impacts of this event to her research?
- Are researchers expected to elect to "go to jail" or face other legal sanctions rather than break confidentiality that they might have promised to their participants?
- Are there any actions that Shana could have taken at the onset of her field research to avoid this situation?

Case 2: Anonymity Declined

(Source: <http://www.aaanet.org/committees/ethics/case5.htm>)

Mira Walton spent two years in Melanesia conducting a broadly defined community study in a rural village with a population of about 1,500 people. She returned to the United States and wrote a 500-page descriptive monograph in which she included specific instances of conflicts of interest and dispute settlement in a variety of contexts: broken marriage contracts; instances of alleged encroachment of farming on neighbors' lands; a case of theft; a charge of mismanagement of community resources which was made against the village headman; family feuds; and blood feuds. Following the conventions of the AAA, Walton decided that the village and its location should be disguised and that pseudonyms should be used for all individuals mentioned in the published ethnography.

A year after publication of Walton's ethnography, which was three years following her departure from the field, she returned to the community of study, taking along copies of the book. These copies were distributed to the people who had been most helpful during her original research project. Most of these individuals were literate and readily understood the contents of the book. Walton asked and received permission to conduct further study in the village. She settled into her task.

Six months later, a meeting was called by one of the elders in order that the community members might discuss the book about them with Walton. Walton was surprised by the first remarks concerning the book; namely that, although she had done an accurate job of characterizing the situations of dispute settlement and the overall political structure of the village, they were surprised that she had (1) gotten the name of the village wrong, and (2) not given accurate names of the individuals involved in the disputes. More than 60 people were at the meeting, and these individuals represented a majority of the families in the village. The murmurings indicated strong agreement that she should have given the actual name of both the village and individuals. Furthermore, she was explicitly told that in the next book she should be more careful to use the correct village name and use the correct names of villagers who asked her to do so or who gave permission for her to do so.

Ironically, Walton had debated the issue of anonymity with colleagues in the United States. She had argued that in order for further studies to be done accurately by other researchers, it was necessary to specify the precise location and name of the village. And, in order to judge credibility of information obtained from the villagers, she had wanted to provide the names of the individuals who worked most closely with her. They had argued that it was her responsibility to protect "her informants and her community" from outside interference or other possible negative consequences, and cited examples of villages and villagers who had come to harm because the anthropologists in question had used real names.

Given that she had a contract for a new book about the community and that the community expected her to publish this new book, and faced with the villagers' criticisms, Walton was in a quandary.

Discussion Questions:

- Should Walton defer to the villagers' insistence that she publish the correct name of the village and the correct names of villagers who had asked or given permission for her to do so?
- Should she rely on anthropological conventions and cautions (as stated in the Principles of Professional Responsibility of the American Anthropological Association) and use pseudonyms in the new book?
- Should researchers determine the level of anonymity expected by participants before engaging with them for research? Or should they assume that anonymity is expected in any research?
- What if the community was split in its desire for maintaining anonymity vs. not?