

**"You can't research children:
the ethics committee won't let you!"**

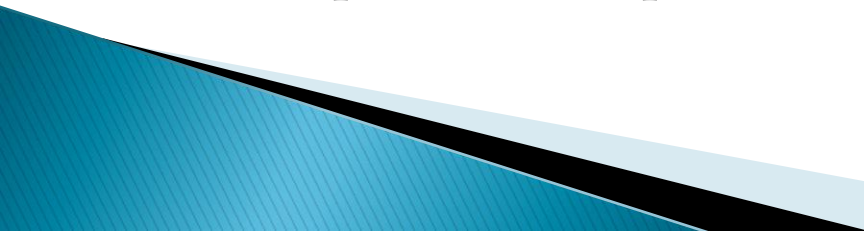
The paradoxes \leftrightarrow tensions of ethical (dis)empowerment.

Dr. Jens. J Hansen
Woodhill Park Research Retreat

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NZARE 2010

The context which gave rise to this paper

- ▶ A doctoral study proposed that visual (photographic) analyses could be facilitated by asking newly arrived immigrants to share their personal pictures of their families with the researcher;
 - ▶ strongly felt tensions (antipathy about seeming stupidity) surfaced from supervisors during three rounds of 'shifting' decisions made by a research ethics committee;
 - ▶ these precipitated a significant 'sanitising' of alterations to the study to such an extent that ethics were not needed;
 - ▶ the ethics process prompted one newly arrived migrant to describe this as being disempowered twice-over;
 - ▶ that sparked this presentation.
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Institutional ethics as hegemony

- ▶ In this instance, the institutional ethics committee demanded that they be accorded the dominant ethical approval role. They assumed, therefore, super-ordinance over the professional code of ethics which governs teachers and they dismissed the personal worldview of the doctoral candidate as being 'weak';
- ▶ that also sparked this presentation which is not so much a rebuttal but instead is a serious consideration of an issue that impacts on many researchers throughout Aotearoa New Zealand, and especially, we think, those who conduct research on children, about children or with children.

History: The unfortunate experiment

- ▶ The “unfortunate experiment” (Cartwright, 1988):
 - following this, there was a more concerted and rigorous scrutiny of all tertiary research;
 - Green’s research into cancer where some women were intentionally denied treatment, quite rightly heralded a more robust ‘policing’ of research;
 - it has also had the latent effect of ‘scaring off’ investigators and corralling them so that they have become reluctant to explore matters which might be deemed to be sensitive. That warrants discussion. Now!

NEW ZEALAND ASSOCIATION FOR RESEARCH IN EDUCATION ETHICAL GUIDELINES

- ▶ *1.10 Ethical decisions concerning the conception, design, commission, conduct, reporting and dissemination of educational research are based on a range of moral foundations and different kinds of reasoning. There will rarely be total agreement on these matters among all members of the Association and sometimes ethical principles may be in mutual conflict.* (Segment of NZARE draft revision of ethical guidelines, revised December 2010).

Ethics Research:
*Participants Wanted
for Online Survey*
Win a \$400 Gift Voucher!



The purpose of this study is to examine ethical decision-making processes. We hope to elucidate what influences people's attitude formation towards ethical issues, and improve decision-making in work environments.

Participants will be asked to read one scenario and provide short responses to a series of questions. This should take no longer than 20 minutes to complete.


Three winners will receive a \$400 gift voucher.

Access the survey at the following internet address:

www.psyc.canterbury.ac.nz

If you have any questions, please contact
Dr. J. Pimentel, University of Canterbury:
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- ▶ Our locus, or the context with which we are concerned, comprises the parties involved in ethics processes. These include sponsoring institutions, professional bodies, research subjects (including children who are considered to be especially vulnerable and powerless), and, lest we forget them, the researchers...
 - ▶ There are tensions afoot... they're on the prowl and, in the interests of research, the researched and researchers, such tensions must be brought to heel via careful negotiations...
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The Core

- ▶ The question [now] underpinning this presentation dares ask:
 - *In contemplated research projects what do ethics applications involve?*
 - *Who are the stakeholders and why are ethics important for them?*
 - *Who, then, are the processors of ethics applications and what are their ethics?*
 - *In what manner are applications processed, how effectively are they dealt with, and, with what effects?*
 - *As a supplementary question, we inquire, what currency, if any, do NZARE ethics guidelines have apropos ethics committees?*

- ▶ We acknowledge that our question/s suggest that sometimes ethics procedures are *less than ideal* and that we could be implying that NZARE guidelines are benign warm fuzzies at best and are actually quite toothless in reality.
- ▶ We wonder, therefore, what, if anything, might need to be *tweaked* by way of a *makeover* for ethics applications to become more useful and relevant? And where will the NZARE guidelines fit in that regard?
- ▶ As a student asked of us only last week, “*Who says we have to be ethical and in what ways do we have to be so?*”

A useful theoretical framework

- ▶ A.W. English (2010) has written about the use of tensions for better understanding the art of how how people negotiate in business, in hostage situations, treaties, etc.
- ▶ We have concluded that the framework Tony English has devised can be applied to better understand what is going on with respect to issues in ethics which is a domain fraught with tensions!
- ▶ English defines a tension as *“two complementary phenomena that compete for influence over the perceiver’s mental and other behaviour,”* (English, 2010, p.18)

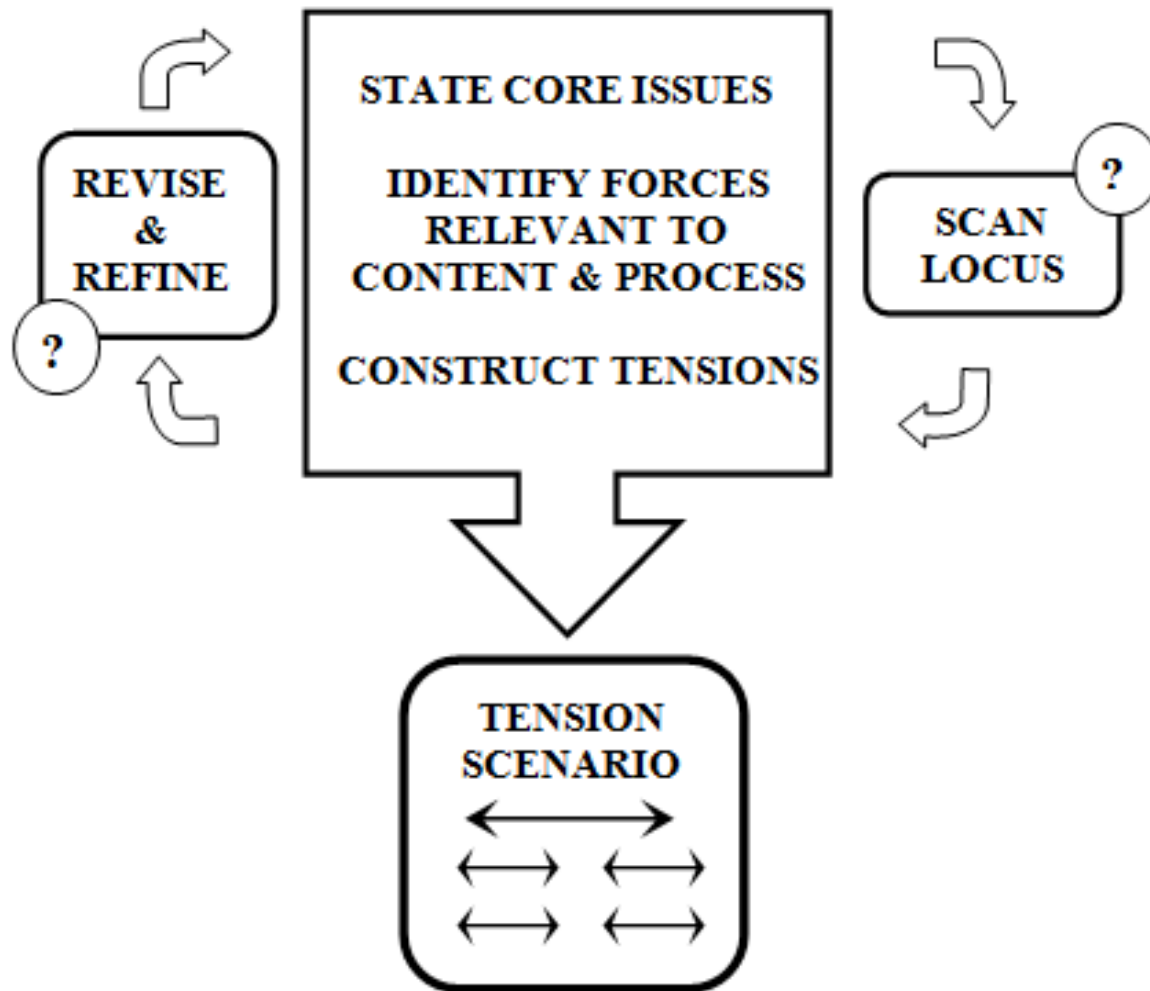


Figure 5.2
The Process of Scenario Definition

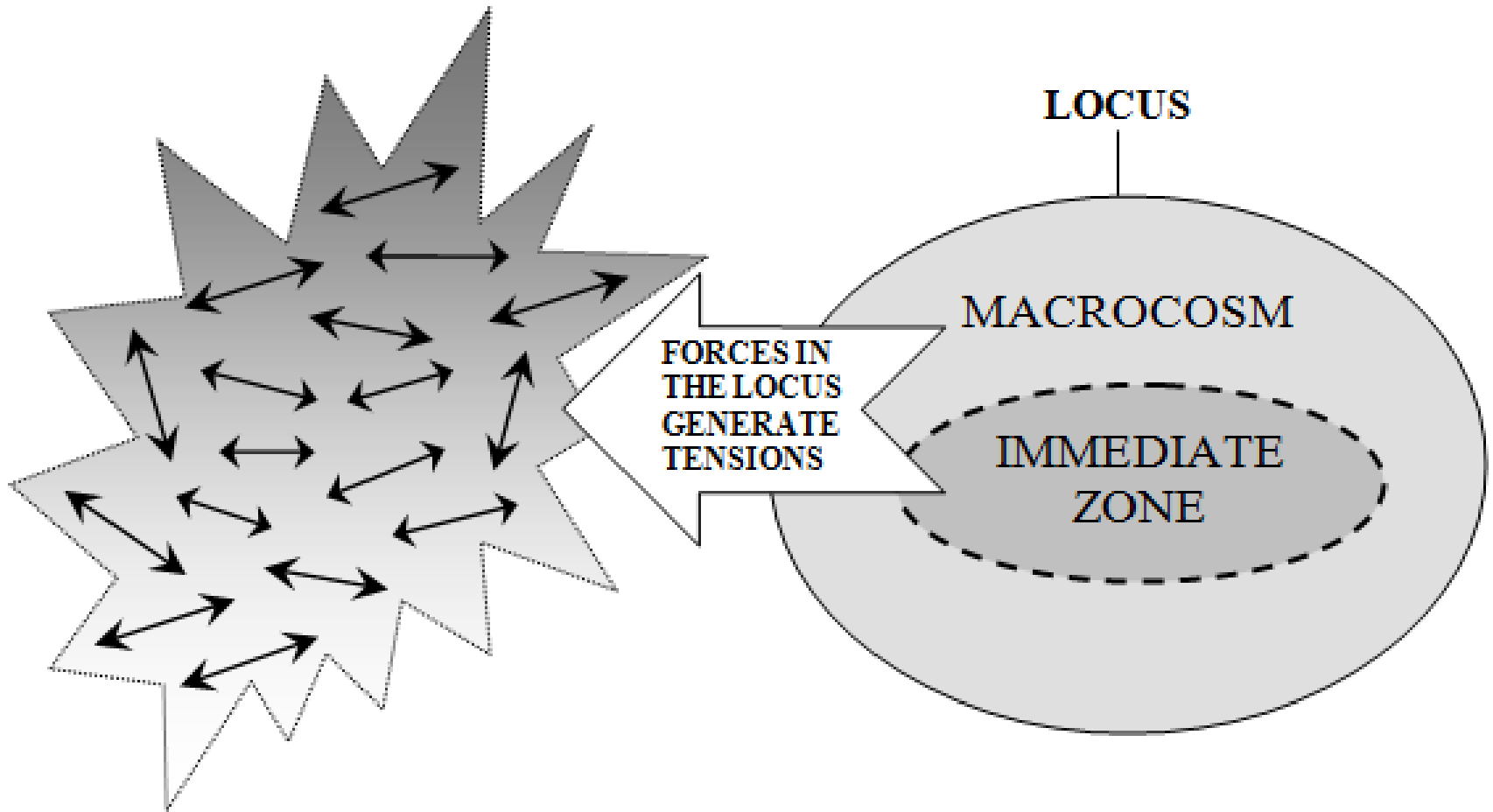


Figure 4.2
The Negotiation Context

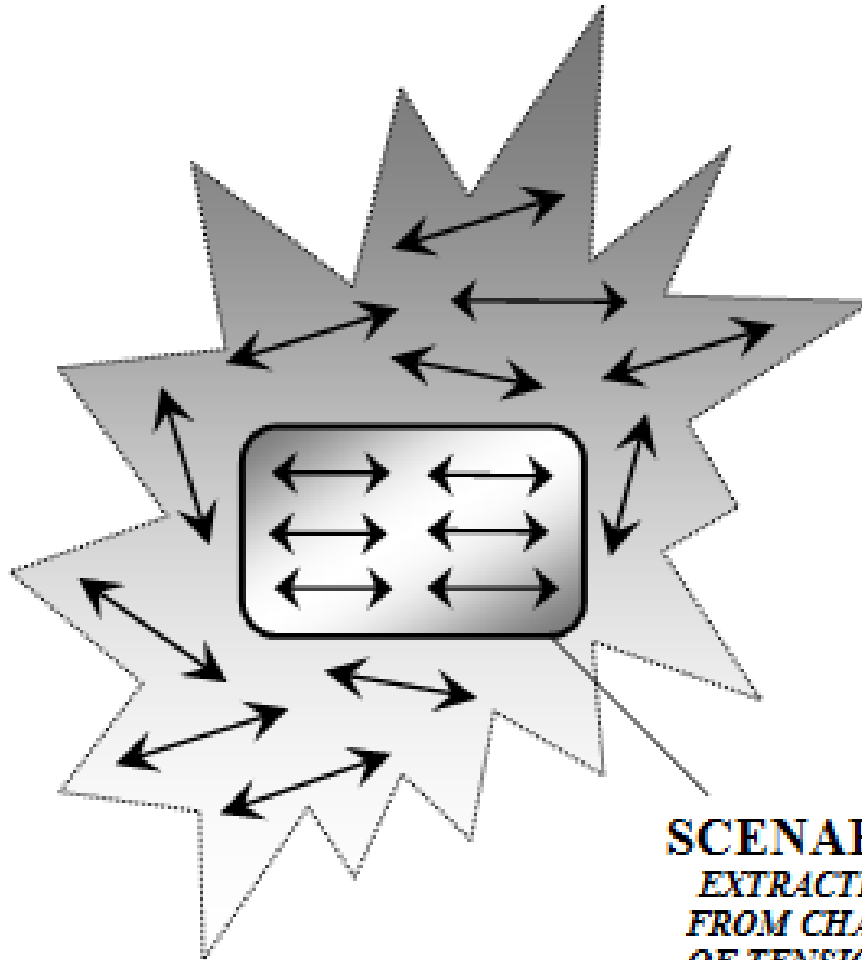


Figure 4.3
The Negotiation Scenario

- ▶ We can, therefore, usefully apply English's theoretical framework of *Tension Management* in order to better understand & address research ethics issues;
- ▶ This will enable us to begin resolving procedural challenges pertaining to ethics;
- ▶ English contends that these challenges are *tensions* spanning *Process* as well as *Context &/or Content Issues*;
- ▶ The interplays between stakeholders give rise to these tensions which, we argue, now need to be questioned , investigated and clarified.

• Mainly this is about protection against litigation

• Mainly this is about protecting the profession

Sponsoring Institutions

Professional bodies

The researcher

Research Subjects

• Lest we forget...the researcher has a role to play too...and they can be punished!

• Mainly this is about protecting the welfare of those upon &/or about whom the research is conducted

Ethics stakeholder number one

- Mainly this is about protection against litigation

Sponsoring
Institutions

The impact of ethics committees on research is a prime *raison d'être* for evaluating them

Functions

1. Serves as a shield for institutions so that litigation opportunities become minimised.
2. Shows institution as protector/shielder of individuals/agencies being researched.
3. Serve as a sword used to punish errant investigators. (Ivan Snook, 2003)

Research possibilities

- ▶ Who are these committees, how are they appointed and what kinds of knowledge / experience should & do they have?
- ▶ What evidence is there of procedures & decisions being *discipline valid* & discourse being either inhibiting, contestable or even flawed?

Ethics stakeholder number two



Professional
bodies

- Mainly this is about protecting the profession

How consistent are professional standards with the values of professional bodies?

Functions

1. Regulate entry into communities of practice
2. Set & regulate work standards & fees.
3. Provide CPD to preserve professional standards
4. Police performance & carry out disciplinary procedures

Research possibilities

- ▶ “*Who says we [the professions] have to be ethical and in what ways do we have to be so?*”
- ▶ What evidence is there of procedures and decisions being *profession valid* and being either inhibiting, contestable or even flawed?
- ▶ Who’s voice counts – the institution or the profession?

Ethics stakeholder number three

Research Subjects

- Mainly this is about protecting the welfare of those upon &/or about whom the research is conducted

Where do researched people/organisations fit into this?

Functions

1. It's self-evident that without them, research wouldn't be possible
2. Participants, therefore, are the very core of both the context & the process of research and of any tensions that emerge.
3. In manoeuvring for approval, all parties can overlook this core point.

Research possibilities

- ▶ Other than Tolich (who is looking at the strategic instrumentality of being a 'subject'), who in Aotearoa is examining the impact of research on 'subjects'?
- ▶ Do we need to undertake this kind of investigation & who should sponsor it?

Ethics stakeholder number four



The researcher

- Lest we forget...the researcher has a role to play too...and they can be punished!

And last but not least, what about the researcher?

Functions

1. It's also self-evident that without them, research wouldn't be conducted
2. They must, therefore, in applying to proceed, be accorded a voice that will enable them to obtain license to progress their research ethically .

Research possibilities

- ▶ Who in Aotearoa is investigating the authenticity of what researchers say they'll do and actually deliver?
- ▶ Who in Aotearoa is examining the impact of ethics upon researchers?
- ▶ Who is studying the impact of the researcher's worldview on research discourse?
- ▶ Who should be sponsoring such research?

A brief overview of the literature

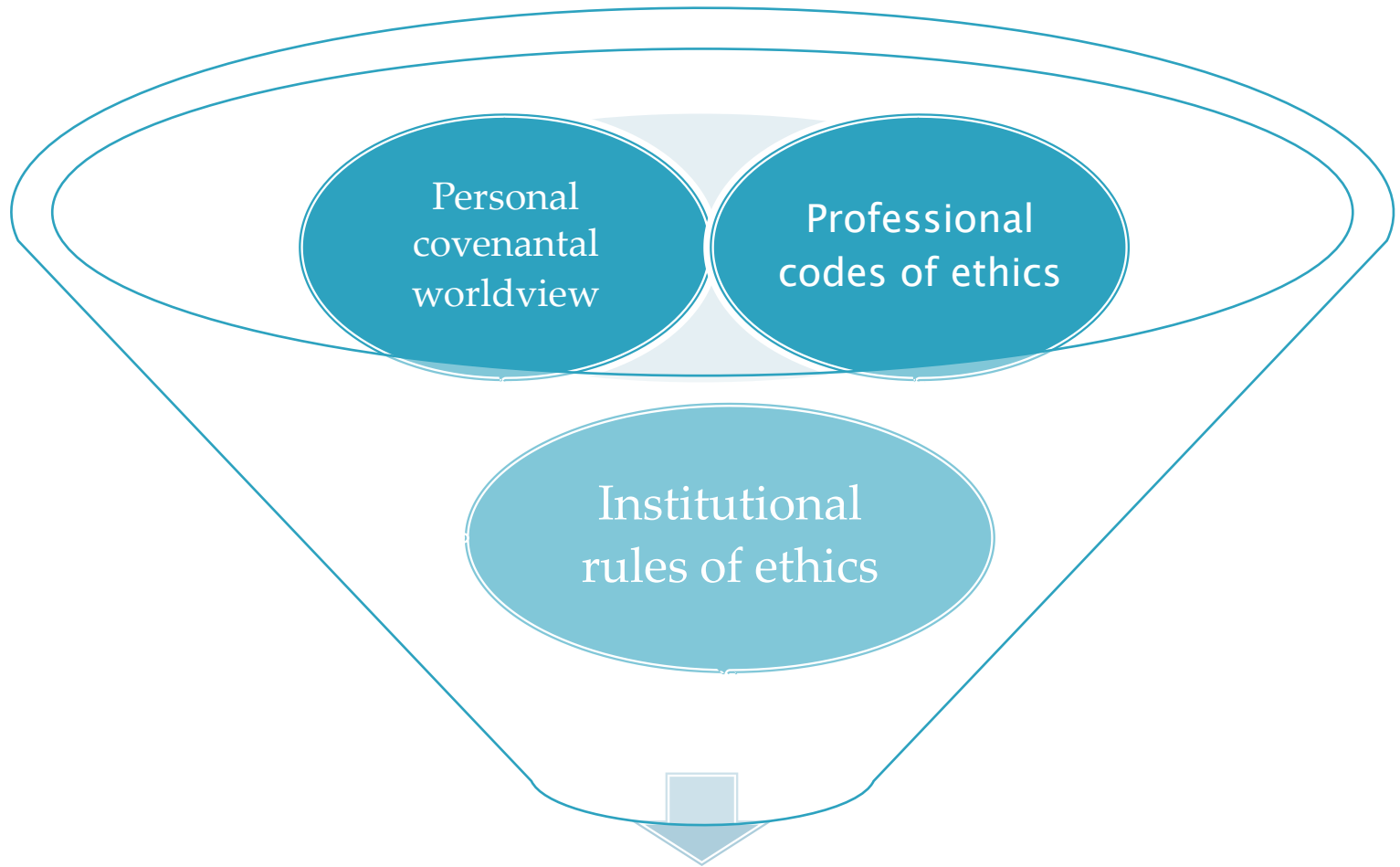
- ▶ In the paper we are preparing we will merely be adding to an ongoing conversation. We will be informed by a series of writers including, amongst others:
 - Tolich (Aotearoa New Zealand);
 - Brydon-Miller (USA);
 - Hilsen (Sweden);
 - Hansen (Aotearoa New Zealand)
 - Dauphinee (Canada).

Tensions, pathways and future directions

- ▶ We want to investigate the nature of, and ways of addressing/negotiating tensions between mandated institutional ethics rules, professional codes and personal (covenantal) worldviews.
- ▶ We speculate (hypothesise) that *ethical determinism* is at play (Hansen, 2009).

Ethical Determinism

- ▶ 5 forms of 'Ethical Determinism':
 1. Ethical determinism by avoidance.
 2. Ethical determinism by sanitisation.
 3. Ethical determinism by dilution.
 4. Ethical determinism by transformation.
 5. Ethical determinism by abandonment.
- ▶ How can the tension concept be applied to an analysis of these five determinisms and are they more pronounced when children contribute to the tension scenario?

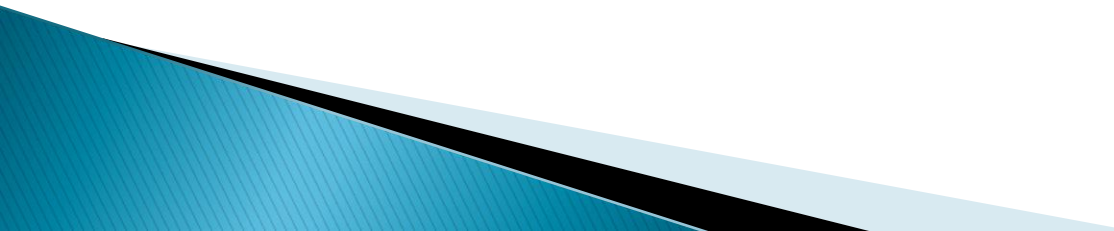


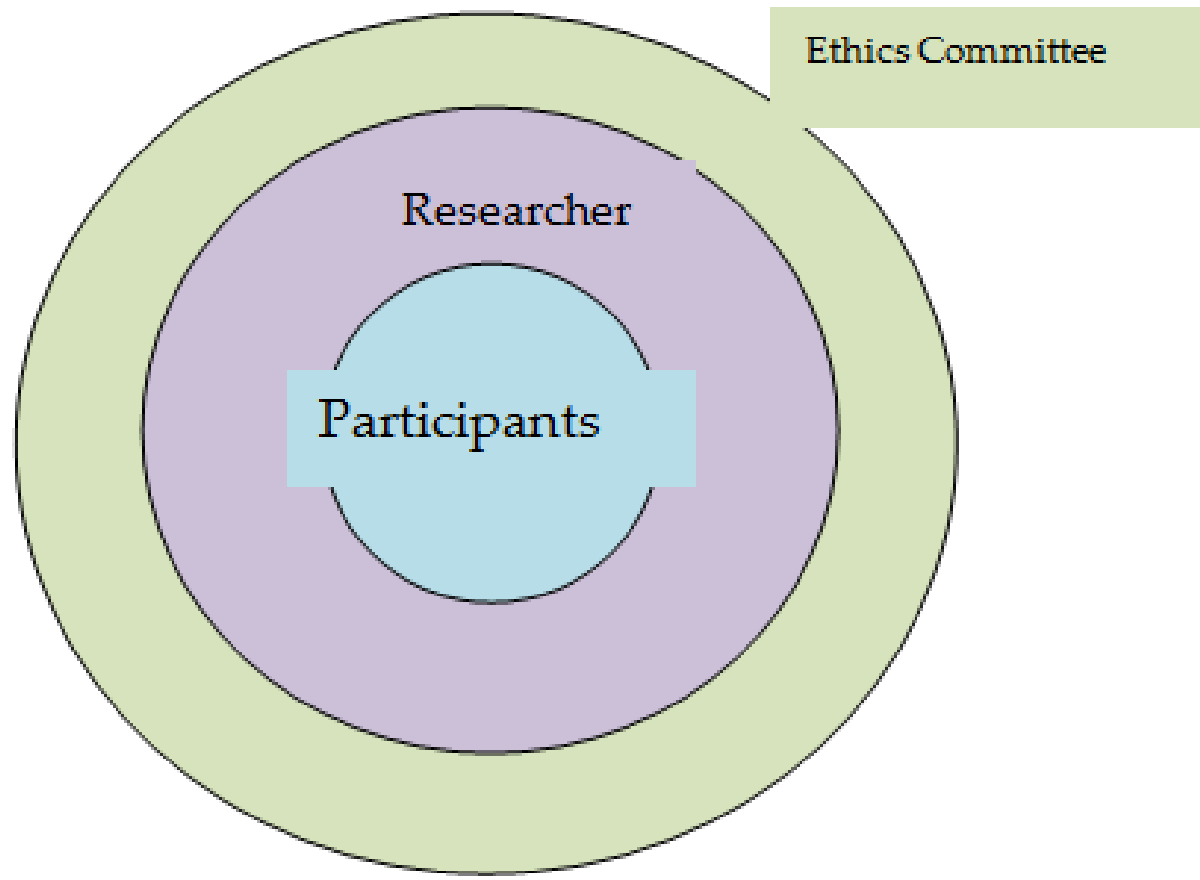
Behaving ethically...

Covenantal ethics

- ▶ *“Let us consider, for a moment, the magnifying lens of research into other people’s lives, values, judgements, traditions, histories, aspirations and perspectives. Let us further consider who decides who should write what, about whom and in what way. Who has the power to decide what the final picture will look like?” (Perry, 2007, p.1);*
- ▶ *“What expert am I? I didn’t even know their names... ‘They’ were just a huddled mass of humanity, objects for my research. They were at the heart of everything I had written ...but they were invisible in these writings...”*
- ▶ (Dauphinee, 2010, 799-818)

We see a strong case for admitting professional and covenantal codes into future discussions

- ▶ professional codes of ethics and of covenantal worldviews are not to be dismissed;
 - ▶ They represent deeply held convictions and may have stronger ethical validity than ethics committees currently realise;
 - ▶ moreover, adhering to professional and covenantal frameworks enables research participants to exercise greater control of their involvement because they are granted a more meaningful license over the research in which they figure.
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Participants

Researcher

Ethics Committee

So what have we argued?

- ▶ We've reasoned that English's construct of tension analysis has relevance for understanding ethics in contemporary education;
 - ▶ We've proposed that the locus of ethics involves a number of stakeholders and that there are tensions to be managed between them, especially (but not exclusively) when children are involved;
 - ▶ We've suggested that as it stands, strategies for avoidance are at play and of those, the sole positive strategy for ensuring progress, seems to be conspicuously absent;
 - ▶ We've pointed out that a covenantal approach to ethics should be admitted to the fray and continuing professional development is important in that regard;
 - ▶ We acknowledge that this is research in the making and that we've got as long way to go before we've finished our challenge.
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