

Class 3 - Sept 21

Thursday, September 21, 2017

8:26 AM

Laud Humphreys enrolled in soc department

- Knew re practice in 1970s where, in malls, with bathrooms in the basements, men would engage in anonymous consensual sex
- Curious about the practice - HOW should we look at this practice?
- Decided to make it his research project - ethnographic study
- Made himself a "watch queen", a lookout for people coming into the bathroom to avoid people being exposed and to avoid trouble with authorities as well
- Didn't tell anyone he met that he was conducting research
- He would sneak out, follow the men out, find their license plate numbers, and would use his connections in the police force to figure out who they were. Later, he would show up at their door in the disguise, and tell them they'd been randomly selected for a health survey. He would then ask them a series of questions
- Spoke to a bunch of men, both through observation and in-person interviewing
- One of best examples of deception in research
 - Ethical:
 - Protected confidentiality in being watch queen
 - Consented to him as a watch queen
 - Unethical:
 - Breach of confidentiality in going to police w license plates - potentially outing them
 - No informed consent
 - Violation of privacy

Respect, Welfare, Justice:

- *Respect for persons*: Research should respect the value of every human person, respect their autonomy, and understand constraints on autonomy.
 - Respect the dignity of the participants - actively trying to do good, at very least you're trying to do no harm. To do this, you need to have a moral compass.
 - Check your assumptions and biases - ask yourself "was the first thing you

thought 'interesting' or 'gross' etc.?"

- Ex. **How** do we understand men who have anonymous sex w men? **Why** do some men engage in deviant sex? - second question already has bias built in and can impact *who gets heard*, first is more open to different answers. Stay open-minded about subject. Be aware of conflicts of interest.
- *Concern for human welfare*: Research should not compromise the physical, psychological, social or economic existence and wellbeing of participants.
 - Consider how the participants may feel when engaging in the experiment
 - Their fears
 - Recognize that you might form authentic relationships with your participants, and be aware of the impact of your research on that relationship
 - You are not trying to fix anything, you are just there to observe
 - Ethically, use the best model for your research participants
 - Check your biases and let data speak for itself - don't manipulate it to achieve what you want from the study
- *Justice*: Research should be fair and equitable.

Tri-Council Policy Statements (TCPS):

- TCPS governs all research carried out by academics in Canadian universities that involves humans.
- All university ethics boards ensure compliance with these policies.
- Other institutions or organisations may have additional ethics processes with which researchers must comply (e.g., CHEO, OCDSB etc.).
- Est. 1998, and is the overarching policy that applies to all universities
- Ethics code: code that defines character of a system (ex. Research system like a uni) in which morals are applied. Our morals are our sense of what is right and wrong.
 - Anytime we work with humans we are supposed to be imposing a moral

code that tries to understand what is right and wrong in terms of our participants in trying to preserve their dignities.

- Applies to recruitment, to how you engage w participants, and also to how you analyse and how you distribute your research. Need to be ethical in how you interpret your data. Don't make your data conform to some theory you already have.
- You're really obligated to listen to your research participants

Statement of professional ethics:

Dissemination of findings

30. **Researchers have an obligation to disseminate results openly except those likely to endanger research participants or to violate their anonymity or confidentiality.**
31. If they do so desire, research participants have a right to be **given feedback on the results** and, where practicable, to be consulted over publications.
32. Researchers should consider carefully the **social and political implications** of the information they disseminate . . .
33. The researcher should **not falsify or distort his or her findings or omit data** which might significantly alter the conclusions. He or she should attempt to make explicit the methodological and theoretical bases of the study, including stating the limitations of the data.
34. Researchers are obliged to try to clarify **any significant distortion** made by a sponsor or client of the findings of a research project in which they have participated.
35. Research reports should disclose **all sources of financial support** for the research and any other sponsorship or special relationship with investigators.
36. Sociologists have a responsibility to **speak out publicly**, both individually and collectively, on issues about which they possess professional expertise . . . and refrain from offering expert commentaries on material which as researchers they would regard as comprising inadequate or tendentious evidence.

Historical Emergence of Ethics Boards:

- **Nazi Medical Experiments**
 - The Holocaust - German doctors would recruit research participants from those in the camps. They subject Jews, gypsies, homosexuals, those with disabilities, and ran tests on them ex. Immersing in freezing water, injecting w poison, gasoline, etc. to learn how the body responds to extreme manipulation.
 - 20 Nazi doctors criminally charged for their actions and appeared before Nuremberg War Crimes Tribunal in 1946.
 - Condemned as barbaric - no consent
 - Trial of Nazi phvsicians who carried out experimentation on concentration camp

inmates led to The **Nuremberg Code**, which focuses on issues like voluntary participation, minimising risks, and freedom to withdraw from study.

- Famous first essential research ethics code that primarily on securing voluntary, informed consent. Need to be competent and of right mind to say yes.
- Need to actively take steps to minimize the risks of harm
- Give ability to withdraw *at any point*

- **Tuskegee Syphilis Study**

- Experiment began in 1932 in Alabama and funded by the US Public Health Service
- Involved about 400 black men who had Syphilis, and then 200 black men as controls
- Tuskegee Syphilis Study researched the “natural course” of untreated syphilis - doctors already knew the answer though, as it contributed to heart and neurological diseases, paralysis, psychosis, etc. They didn't have the cure yet but they had treatments.
- Men not permitted to receive any therapy throughout the course of their illness and developed diseases, and spread the Syphilis to their wives.
- Study didn't end until 1972 - 40 years of men not being treated in Alabama, despite the Nuremberg being developed in 1946. Public Health Service continued even after penicillin was becoming a popular CURE for the disease but they still didn't administer it to them.
- In 1966, two men Buxton and Beacher, created a report. Buxton was a lawyer and a social worker with the US Health Department, who'd seen extreme suffering in the men in the study and tried for years to bring it to the public eye. Beacher was a Harvard researcher and he kept publishing papers exposing medical studies that had ethical issues. He published another article exposing about 100+ medical texts that were being published in large journals. The men together published an article regarding the suffering of these men and the unethical methods. Resulted in a US Congressional inquiry, and then finally, the experiment was closed down in 1972.
- In 1974, the gov intro'd new legislation which led to the creation of Institutional

Review Boards.

- Informed consent was not sought from participants.
- Deception was used in recruitment and process of study.
- Power relationship between medical institution and participants was abused.
- Study was rooted in racist beliefs about African Americans.
- The Milgram Experiment
 - [Milgram Experiment](#) studied obedience to authority. Started research in 1976.
 - 1000 ordinary people ages 20-50
 - "Learner" = confederate, "teacher" = participant - for every wrong answer, teacher increases voltage of shocks as by instructor of lab researcher in the room with them telling them to do so.
 - 65% of 1000 went all the way to the fatal shock. No one drops out at 285 volts. One study 91% went to fatal, or 95% rebelled depending on study methods.
 - Used deception in recruitment and in study process. They didn't know they were the ones being tested, nor that the voltage was fake. They thought they had shocked someone to the point of extreme pain or death.
 - Benefit - learning that people acquiesce to authority, con - showed people they could really do those things in certain social situations, caused to question moral compass
 - Informed consent was not sought from participants.
 - No protocol for terminating participation.
 - Psychological harm to participants from believing they harmed another human being in course of study.
- Zimbardo's Stanford Prison Experiment
 - experiment in institutional behavior
 - mock prison created in the basement of a laboratory at Stanford University
 - Participants were randomly assigned the role of "guard" or "inmate."
 - Guards escalated so much so that experiment ended on Day 6 after 5 people dropped out with complaints of extreme psychological discomfort
 - research participants had not been informed of the risk of psychological stress, physical discomfort, and humiliation

- Tearoom Trade
 - Humphrey's put all his research together from his study on unsettled stereotypes of men who engage in sex acts with other men
 - Referred to it as impersonal sex instead of gay sex
 - contributed to diminished policing of victimless "crime"? Saw these men being policed and wanted to think about whether or not the policing was justified
 - This study explodes normative/discriminative ideas re these men - not creeps but men seeking release
 - Exposed the grey zones of research - he may not have gotten research ethics today
 - Ethical debate erupted from Tearoom Trade study:
 - Invasion of privacy of vulnerable population - how could this be justified?
 - How private is this actually since it was in a public restroom? Does intention matter? Even if he violated it, were his intentions good? Intentions matter - he was working in the best interest of these individuals, and if he discovered that they were respectful people he was going to let that be known.
 - Deception in recruitment and study process.
 - Does the potential value justify the deception? Will people be hurt by it?
 - Following research: Was the value of the research realized? Was anybody actually hurt?
 - Aiding in commission of a "crime".
 - Why do police expose men who have sex with men and get caught get exposed to their families after arrest, and not hetero cheating? *Why?*
 - Some may have seen more risk in not exposing homosexual men than the risks of the study itself
 - Withholding information from police (debate: responsibility to *police* versus responsibility to *community being studied*).
 - Informed consent not sought from participants

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- Allows us to work in the shadows

Policing of MSM still a reality:

- Project Marie - police targeting queer sex in 2016
 - Police decided to crackdown on it because people felt "afraid"
 - Policing of homosexual sex has not decreased

Risk and Ethics in Qualitative Research:

- Today, ethics are increasingly read through the lens of "risk". Lots of theorists who say we live in a "risk" society. If we live in a risk society, we need to try to anticipate what may happen - proactive.
- Risk aims to anticipate what might happen and tries to manage possible undesirable future outcomes in the present.
- Ethics boards (arbiters of ethics, and gatekeepers of research) focus on managing risk.
- We are always trying to identify risk
- Haggart's definition: Risk associated w actuarial science where they try to statistically determine the likelihood of future unknown potentialities based on an assessment of previous events.
 - People who are trying to manage risk are trying to determine when uncertainties become probabilities.
 - "It's uncertain whether or not this will cause harm"
 - Problem is that Ethics Boards say "you can't do this because of this uncertainty" versus "high probability"

Areas of Risk:

- *Physical*: Does the research risk physical harm to participants?
- *Psychological and emotional*: Does the research risk psychological or emotional harm to participants?
- *Social*: Does the research risk social harm to participants?

- *Economic*: Does the research risk economic harm to participants?

Managing Risk:

- *Informed consent*:
 - Requires researchers to inform potential participants of the nature, goal and process of the study, along with benefits, risks and strategies to mitigate risk so individual can make informed choice.
 - Normally, takes the form of an informed consent form or statement (includes rights of participant).
- *Withdrawal*:
 - Study must include a way for participants to quit the study without consequence to the exiting participant.
 - Participant must be informed in advance of how to terminate participation.
- *Anonymity*: Anonymising identity of participants, and removing all identifying details.
- *Confidentiality*: Identity of participants may be knowable, but no data will be attributable to any given participant.
 - Luke Magnotta found guilty of first degree murder in 2014, but years earlier participated in a research study by profs at uOttawa
 - Arrested for killing and mutilating someone and put on internet
 - Police wanted the info from her study, but did not want the transcript or interview to fall into police hands, because it's hard to get sex workers to trust you if your participants are stigmatized or targeted by police
 - Fought for confidentiality, and Quebec courts agreed due to researcher-participant confidentiality
 - Questions may not have been relevant to his later crimes
 - Judge found that releasing interview would damage free flow of information between researcher and participants
- Anonymity and confidentiality are a promise we make to participants that should not be broken except in extremely rare circumstances when disclosure to a third party is warranted or required.

- *Data integrity:*
 - To ensure anonymity and confidentiality, data must be protected, and sometimes destroyed.
 - In our electronic age, password protection and use of secure platforms are crucial.
- *Support/debriefing:*
 - Researchers must ensure supports are in place to mitigate psychological and emotional harm.

Haggerty - "Ethics Creep" - The Risk of the Ethics Protocol

- "'Ethics creep' -- whereby the regulatory structure of the ethics bureaucracy is expanding outward, colonizing new groups, practices, and institutions, while at the same time intensifying the regulation of practices deemed to fall within its official ambit." (p. 394) - worried we'll go too far and overregulate to the point where we are completely limited.
- Often makes comparison between research and journalism - what they don't need in terms in ethics vs what journalists do and don't require in terms of ethics
- Need to ask question "is being an ethical researcher solely about following rules, especially if the ethics are limiting"
- Can pose danger to the amount and quality of research we can produce
- Ethics board are creeping in or censoring non-traditional qualitative and critical social science research. These tendencies are demonstrated through an analysis of:
 - 1) the scope of research ethics protocols,
 - 2) the concept of "harm" employed by these boards - keeps including more and more things, even the most trivial potentialities,
 - 3) the use of informed consent provisions - can be unethical to get informed consent in certain circumstances (research with young people, parents need to give their consent, which in cases like sexting, gay relationships, etc., because it may intrude on relationship, increased surveillance by parents, etc.)
 - 4) the presumption that research participants will remain anonymous

Scope of research ethics protocols:

- Types of people deemed to be “researchers” and the activities that fall under the heading of “research” extend well beyond what is reasonable or practicable
 - Researcher with *any* connection to university requires ethics clearance - need to do a research application - profs, contract profs, graduate students, etc.
 - Any “tangential and ambiguous knowledge generating activities” defined as research requiring ethics approval (ex: university satisfaction surveys, students who want to interview a parent for a research paper, profs who want their students to engage in in-class interviewing exercises)

Expanding concept of "harm"

- Research should not be conducted if it “might cause serious or lasting harm to a participant” and “research participants must not be subjected to unnecessary risks of harm.”
- What is “serious harm”? What is the real likelihood of such harm ever materializing?
- What are “Unnecessary risks” and How is risk being managed?
- Risk Boards being overly cautious - try to over-mitigate risk
- They've said no to projects before for disrupting someone's routine, for couples to come in and discuss relationship (potential for break up if they discuss

Informed Consent

- 3 downsides to Informed Consent
 - Too formal and even unworkable in context of ethnographies, participant observation, or exploratory interviews
 - Precludes or seriously complicate scholarly research otherwise seem entirely unproblematic (ex: proposal to analyze private conversations overheard in public places; that involving “deception” in its most benign form) - informing people may change their responses/discussions/behaviour
 - May preclude valuable forms of *critical* inquiry - if you are somebody who wants to study police culture and you have access to them but they think you're there for other reasons than to study police culture. If they knew you were there, there's a chance that you can't be as critical as you'd like of their culture, necessitated to show in a positive light

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Presumption of Anonymity:

- researchers are expected to protect the identity of their research participants (with some exceptions) unless they provide explicit permission to be identified. Academics can't name names - but sometimes it's important and can give weight to it. Esp. if it's an influential figure.
 - Example: If you talk to a journalist it's not presumed that you will remain anonymous
- means that academic knowledge may be less robust when compared to journalistic accounts