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Ethnographers' Experiences of Institutional Ethics Oversight: Results from a Quantitative and Qualitative Survey

In 1977, an officer of the American Anthropological Association testified that “the operations of IRBs are inappropriate for ethnographic research, and ... the application of the medical model tends to stultify and discourage ethnographic research, to invade scientific freedom, and to increase federal control over universities, at no savings in damage to people.”¹

By 2004, the AAA had reversed that stance, stating that “the American Anthropological Association ... advocates that all ethnographic researchers should cultivate a strong foundation for the ethical conduct of research with human populations. This means that the risks of harm must be considered in relation to the potential benefits of ethnographic research. This process should actively involve the researcher and the IRB, the researcher and participants, and finally the IRB, the researcher and stakeholders.”²

These two statements encapsulate not only a range of opinions about institutional ethics oversight that exist among ethnographers but also, as the dates suggest, a historical shift in attitudes toward ethics oversight among

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ethnographers, and the successful expansion of a regime of institutional oversight. A variety of commentators have called this “IRB mission creep” or “ethics creep”: the process by which, over two or three decades, bureaucratic regulations over what is called “human subjects research” in U.S. universities have expanded to encompass not only clinical studies but also ethnographic research, and not only federally funded but also privately funded or unfunded research.³ As Bledsoe et al. report, even some U.S. high schools are requiring student research projects to go through IRB procedures. Other parts of the world have seen a similar expansion of the domain of their ethics review bureaucracies.⁴ These go by different names in different countries, from IRBs in the United States to Research Ethics Boards (REBs) in Canada, Research Ethics Committees (RECs) in the United Kingdom, Human Research Ethics Committees (HRECs) in Australia, and Ethics Committees in New Zealand. (While much of the literature uses IRB as the default acronym, in this article I will attempt to avoid American provincialism and generically refer to such bureaucracies as “ethics committees” or “institutional ethics review.”)

I am one of those researchers who have lived through the two eras. When I first went to Egypt to conduct my dissertation research, I did not seek ethics approval from my university’s Institutional Review Board. Ph.D. students discussed research ethics at length in our seminars, we presented our research proposals in a departmental forum and received feedback that could include concerns about research ethics, and we also studied the National Institutes of Health (NIH)’s online ethics training module (<http://researchethics.od.nih.gov/>), but as far as I know, it was not established practice for Ph.D. students in Princeton’s Department of Anthropology in the mid-1990s to go up before a university committee for ethics review before we left for the field. However, by the time I came back from the field, graduate students in that same department were getting university-level ethics committee approval before starting research.

For a long time, I felt furtive; I worried that I had somehow failed to do something that I was supposed to do, and wondered whether I would ever be accused of unethical research practice. This was in spite of the fact that I considered my own research to have been conducted in an ethical manner, and I considered ethical issues at length in my dissertation. As Canadian sociologist Kevin Haggerty points out, “ethics” is a kind of magically efficacious word. He compares it with “motherhood” in the way that it is unassailable as a concept of principled good.⁵ No wonder, then, that as a newly-minted Ph.D. I was anxious about the lack of official approval for my research that would mark it as “ethical.”

I lacked the perspective to appreciate that I was living through a changing era. It was only when I started doing research on research ethics and the history

of institutional ethics oversight that I started to understand my own experience from within that historical trajectory of the expansion of a bureaucratic and institutional regime.⁶ That experience inspired me to inquire more broadly about this historical movement and how it has been experienced by other ethnographers.

RESEARCH METHODS AND LIMITATIONS

We have all heard the anecdotes and even the horror stories of anthropologists whose research has been delayed or blocked by an ethics committee that does not understand ethnographic research methods. Researchers have reported their experiences and those of their colleagues and students.⁷ Committee members have offered their own critiques, a reminder that many of us hold dual roles of both academics and bureaucrats.⁸ (It is reassuring to know that we can inhabit those dual roles with our critical faculties intact.) These fine-grained, qualitative analyses of how ethics committees work and how researchers respond to them have contributed a great deal to our understanding of how these institutions work and how they fit into the expanding neoliberalization of academia and its corresponding audit culture.⁹

Yet to date there have been few large-scale, systematic attempts to quantify committee interventions and researchers' attitudes about them.¹⁰ As Kevin Haggerty points out, in most cases committee deliberations and decisions are not public, so there are rarely archives of documents and decisions open to researchers to scrutinize. "These structural factors make it very difficult for outsiders to gain an appreciation of tendencies in how the rules governing ethics are being interpreted and applied in practice."¹¹ As a result, articles on the topic are heavily shaped by the individual perspectives of the authors and their experiences and it is difficult to say to what extent these are generalizable. Some have thus dismissed critiques of these expanding ethics bureaucracies as a "social science victim narrative" grounded in "provocative," "anecdotal 'horror stories.'"¹² Others have suggested that resistance to institutional ethics oversight is a matter of generational change, with more senior academics resisting it as a threat to their autonomy and freedom, while junior academics are more compliant and cooperative.¹³

But if we asked a few hundred ethnographers about their experiences of institutional ethics oversight, would we find these horror stories to be the exception or the rule? And what are the broad effects of these circulating horror stories on researchers' understandings of the institution of ethics review?

This research project, then, is an attempt to quantify the qualitative: to understand a wide range of ethnographers' personal and anecdotal experiences of the shifting terrain of institutional ethics oversight. To this end, I designed a quantitative online survey with demographic and attitudinal questions, with the goal of comparing the attitudes of researchers who spent most of their careers not seeking ethics clearance, a younger generation for whom it has always been standard, and those who started their research under one regime and now live under another. I aimed to recruit a large number of participants to obtain clearly quantifiable data (using Likert scale responses), but I also asked open-ended questions about the subjective, personal experiences of researchers—their memories of when and how they first became aware of ethics oversight, what they think and feel about it, whether and how they comply with it, and whether they think it makes ethnographic research more ethical or not—something that has rarely been studied on a large scale. This combination of demographic and attitudinal data allows us to map out generational shifts in ethnographers' experiences of ethics oversight.¹⁴

A recruitment advertisement was posted on anthropology listservs and blogs in the United States, Canada, Australia, and New Zealand, including the New Zealand Social Anthropology Association (NZSAA) listserv, the Australian Anthropological Society (AAS) listserv, and the Canadian Anthropology Society (CASCA) listserv. I also sent individual e-mail letters of invitation to anthropologists and administrators at seventy randomly selected universities in the United States with anthropology departments, eighteen universities in the United Kingdom, twenty universities in Canada, ten universities in Australia, and five universities in New Zealand. In each of these letters, I asked individuals to circulate the link to faculty and graduate students in their departments who have done or are preparing to do ethnographic research. I welcomed responses from other disciplines in addition to anthropology, but I did not systematically recruit nonanthropologists to complete the survey.

The survey received 315 responses, and 284 (90 percent) completed the full survey. The large number of respondents allows us to understand ethnographers' experiences of ethics oversight on a scale that spans institutions and countries and to make generalizations that are not possible to make from the smaller qualitative studies. However, there are at least two ways that the research method and recruitment strategy may have biased the results.

First, it is difficult to estimate the response rate with any accuracy. The survey advertisement was circulated on listservs and through an unmapped e-mail network, so we have no way of knowing the proportion of people who

completed the survey out of those who received the survey invitation. If we assume that each person who received the e-mail invitation forwarded it to five others, then the response rate would be relatively low, and we must then ask: What were the characteristics that differentiate between those people who chose to complete the survey and those who did not? It may be that respondents self-selected on the basis of a particular interest in ethics bureaucracies, which may in turn bias the data toward responses from those with particularly memorable experiences of interacting with such bureaucracies.

Second, I recruited in part through networks of people I already knew. When I found that I knew someone within the anthropology department of a university on my list, I sent the e-mail attention to that person, assuming that someone who knew me would be more likely to forward my e-mail to colleagues than someone who did not. As a result, the responses may be distinctly biased toward representing the researcher's extended network of ethnographer colleagues in Canada (where I studied anthropology as an undergraduate), the United States (where I completed my Ph.D.), and Australia (where I currently live and work). This probably explains the high response rate from these three countries.

DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS: EARLY CAREER, ENGLISH-SPEAKING, AND MOSTLY COMPLIANT

Respondents are mostly based in one of five English-speaking countries: the United States ($n = 98$), Canada (69), Australia (64), the UK (41), and New Zealand (21). Fewer than ten respondents each were based in France, Spain, Austria, Belize, China, and a wide range of other countries. The majority (227, or 72 percent) identify as anthropologists, though respondents also came from the disciplines of sociology, communication, education, geography, history, journalism, and political science. Though I did not inquire as to whether respondents were based at universities or not, the fact that I primarily recruited through universities suggests that the experiences of practicing anthropologists who work outside universities are likely underrepresented in these results.

Respondents tend to be younger scholars. About 61 percent of respondents hold doctorates and another 23 percent hold master's degrees, and many indicated that they were currently enrolled in Ph.D. programs. More than 200 (some two-thirds of the respondents) indicated that they received their highest degree between 2000 and 2010, while only one respondent received his or her highest degree between 1930 and 1934. Reflecting the lag

between when students conduct research and receive their Ph.D.s, nearly three-quarters ($n = 230$) of the respondents first conducted ethnographic research between 1990 and 2010.

Most respondents (86 percent, $n = 261$) have submitted their research for review by an ethics committee, though a small percentage (5 percent, $n = 14$) reported that they came from universities in Europe, Asia, or Africa, where there was no institutional review of research ethics, and most obtained ethics approval for the first time in the last fifteen years, though a small handful report obtaining ethics approval as far back as the early 1970s. Most indicated that they always (59 percent) or usually (17 percent) seek ethics approval for their research, though fully a quarter do so only sometimes (6 percent), rarely (6 percent), or never (13 percent).

WHAT ARE ETHNOGRAPHERS' EXPERIENCES OF ETHICS COMMITTEES?

In the last research project that they had submitted for ethics review, 76 percent of respondents reported that their ethics review committee did not recommend significant modifications to their proposed project. Yet of those 20 percent who reported being asked to make major changes to their proposed research, more than half (52 percent) considered the requested modifications to be detrimental to the quality of the research, 36 percent considered them to neither improve nor detract from the quality of the research, and a mere 12 percent considered those modifications to be helpful.

The fact that nearly nine out of ten researchers did not consider the process of ethics review to improve the quality of their research is a striking outcome. Yet even more striking is the fact that even *fewer* believed that the requested changes would lead to greater protection for research participants. Most respondents (60 percent) believed the proposed changes would have a neutral effect on the welfare of informants or research participants, only 8 percent believed that the proposed changes would protect informants, and 32 percent of the respondents actually believed that the modifications were “detrimental to the welfare of the informants or research participants.”

Interestingly, the official AAA position on the relationship between ethnographers and ethics committees does not represent the majority attitude among respondents. The survey presented the two AAA quotes that were introduced at the beginning of this article and asked respondents whether they agreed with the 1978 statement (“The operations of IRBs are inappropriate for ethnographic research”), the current AAA position (“Ethnographic researchers

should cultivate a strong foundation for the ethical conduct of research ... This process should actively involve the researcher and the IRB”), or if their attitude occupied some middle ground in between these historical positions. Only 30 percent agreed with the current AAA position, 12 percent agreed with the 1978 statement, and 54 percent reported that they stood somewhere in between.

A series of questions with Likert-scale responses attempted to assess this in more subtle ways with questions that ask about the perceptions of the general effects of institutional ethics review on informants' welfare and the quality of the research (note that the earlier question asked about respondents' *personal* experiences at their last ethics review and was only answered by those individuals who reported that they had been asked to make major changes to their research design). Several of these questions are based on questions first asked in the 1970s in a survey commissioned by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, and the responses used to justify the perpetuation of ethics-committee review. Repeating the questions here allows some comparison to that study.¹⁵

The quantitative data suggest considerable ambivalence toward the ethics review process and the influence it has on ethical research practice. A majority of respondents agreed that, in general, the human subjects review procedure protects the rights and welfare of research participants (56 percent either agreed or strongly agreed). Significantly fewer believed that the review procedure improved the quality of ethnographic research (25 percent either agreed or strongly agreed, while 44 percent disagreed or strongly disagreed). Respondents were almost evenly divided as to whether the review procedure was reasonably efficient (37 percent agreed or strongly agreed, while 39 percent disagreed or strongly disagreed), whether it intruded into areas that are not appropriate to its mandate (35 percent vs. 33 percent), whether the ethics review committee at their institution was qualified to review ethnographic research (38 percent vs. 33 percent), and whether the review procedure impeded ethnographic research (36 percent vs. 32 percent). Overall, however, respondents felt that researchers were treated fairly by ethics review committees (48 percent agreed and 37 percent were neutral), and most disagreed with the statement, “The review procedure is an unwarranted intrusion on the researcher's autonomy” (50 percent disagreed and 26 percent were neutral).

WHY ARE RESEARCHERS DISCONTENTED?

In open-ended responses, researchers explained their ambivalence toward, even discontent with, the ethics review process. Many ethnographers expressed

concern with what I call “studying up dilemmas.” In 1972, American anthropologist Laura Nader called for anthropologists to stop studying the poor and the downtrodden and instead to fix our sights on elites, institutions, and governments in order to understand how exactly it was that the poor and the downtrodden came to be and to remain poor and downtrodden. In that influential article, Nader presciently pointed out that “studying up,” as she called it, would cause a seismic shift in the way we represented our informants. Instead of feeling that we had a duty to help, protect, and present our informants in a sensitive and compassionate light, she pointed out that writing critical exposes of how elites oppress others would lead to a key shift in the way we conceptualized our research ethics.¹⁶ In survey responses, an awareness of this shift is evident as ethnographers express concern that ethics committees as they are currently constituted are predisposed to protect powerful institutional interests and this may lead to a watering down of critical research of the past.¹⁷ One respondent said,

“I am dealing with this nightmare right now. They are asking me to have written permission from supervisors, CEOs, directors and the like prior to engaging in research at an institution (among people who are employed there). Since when [do] anthropologists require permission, say, of the director of the University of California, in order to engage in ethnographic observation of the protests going on right now? I am beyond angry. This is unheard of. It would be impossible to write about injustice if one needs the permission of ‘perpetrators’ to study its impact.”¹⁸

Another respondent argued that

“ethics committees seem to always assume that the researcher uniformly occupies a position of power vis-à-vis their informants. This seems to gloss quite complicated relationships, especially in my research which considers political elites.”

A third noted,

“Ethics clearance *very* problematic indeed if researching ‘upwards’. Ethics committees assume the researcher wants to do the ‘right thing’ by their subjects, but I don’t always—often I want to expose them in some way, e.g., if I chose to study racist organizations, or—as I have done—cultures of management and control.”

Another common complaint that respondents had about ethics bureaucracies was that they lacked basic cultural awareness of the diverse contexts

where ethnographers do research. The majority of such complaints surrounded informed-consent procedures, but respondents also doubted committees' abilities to assess researcher safety, local norms of reciprocity, and age of majority in far-flung research sites. One, for example, described her encounter with an ethics committee over a research project among a group of young, rural-to-urban migrant women in an East Asian country:

“I requested a verbal consent form since in this particular country (1) contracts don't mean much; and (2) for a very marginalized population, signing a contract is viewed with much suspicion—it usually means they are going to get exploited. I was told by the chair of the IRB that they had ‘the right to a signed consent form.’ The chair had absolutely no cross-cultural understanding and mapped his idea of rights and legality onto a country with a totally different system.”

Many argued that ethics committees failed to understand that they worked in sites where historical experiences of land-grabs by colonial governments and mining companies made locals wary of signing documents offered by foreigners, or that the political regimes in the countries where they worked meant that asking people to attach their name to a researcher's documents might put informants at risk. One respondent neatly characterized this issue by suggesting that ethics committees “don't understand anything about the different cultural meanings of ‘paper.’” Another said,

“They wanted me to explicitly say that I would explain consent and privacy, etc, to my research assistant and that I would explain that people wouldn't come to harm from participating in my research. I was rather annoyed by the second condition, as it seemed to be completely unaware of the conditions of research I was writing in. I compared it (to my friends) to going into a prof's office and saying ‘Okay, now, no harm is going to come to you if you talk to me. I just want to know why you gave me this grade.’ That's not helpful, that's a threat!”

Others pointed out the apparent absurdity of ethics committees that ask ethnographers for a list of interview questions before they leave for a year or more of fieldwork: “The ethics committee was interdisciplinary but nobody seemed to understand ethnographic research. I was even asked for my set of interview questions! I thought of the thousand or so questions I expect to ask over the year's fieldwork ... [like] Hey what's for breakfast?” This argument connects more broadly with complaints that ethics committees are overpopulated with researchers who see the relationship between

researcher and research participants fundamentally differently than ethnographers do:

“I used to make jokes about how rulers had ‘subjects’ while ethnographers worked with ‘informants’—now a committee of researchers in disciplines that construed collaborators as ‘subjects’ were going to tell budding ethnographers what was ethical, which seemed incongruous. ... Because I had experienced such a strong culture and debate of ethical practices within the department, I myself didn’t see the need for external ethical review. I recall thinking that the committee was largely for those ‘others’, who did indeed treat people like ‘subjects’ to experiment on, rather than informants to engage in dialogue, and I thought our strong culture of research ethics already ensured that the research conducted from the department was already sufficiently ethically informed not to need bureaucratic vetting by non-ethnographers.”

Related to dissatisfaction about the lack of cultural awareness of ethics committees was a frequent complaint about a perceived positivist, quantitative, or biomedical bias of ethics committees, which “often do not understand what doing fieldwork in cultural anthropology actually means,” as one respondent argued. One person described, for example, her or his interactions with “an intractable and—to be frank—kind of stupid committee made up entirely of positivist scientists.” Others described being asked to include control groups in ethnographic studies.

This issue of the positivist or clinical bias in the approaches of ethics committees emerges as one of the most common themes in critical anthropological and sociological writing on ethics regimes, where it is repeatedly identified as a historical artifact that has been misapplied.¹⁹ Yet we also see some awareness that this is shifting as ethics committees become more sensitive to the particularities of ethnographic research—and also as qualitative researchers take up roles on ethics committees. As one thoughtful respondent reflected:

“While the committees are, as Foucault would remind us, institutional control mechanisms, on the ‘bright side’ the actual flesh-and-blood people on them are almost invariably people who volunteer to do it because they believe the process should be helpful and not a hindrance to good, ethical research. At least, they are trying to do their best, and they have proven in most cases to be able to listen and

learn from their mistakes. At first after the 'rise of the IRBs,' there was a wave of 'horror stories' and experiences.... The single 'big lesson' that was finally learned was that you could not resist the rise of the IRB, you could only make sure you got representative people on it—that is, anthropologists everywhere learned it was best to get an anthropology faculty member to serve on the IRB, or an academic from a kindred discipline such as a Sociology, Women's Studies, Geography, etc. I think these 'unsung heroes' of anthropology should be recognised for making an important contribution to the evolution of the 'consciousness' of the IRBs. ... Today, you hear far fewer horror stories. There are conflicts and disagreements, but these are almost always worked out with discussion."

To paraphrase David Mosse, ethics codes and ethics bureaucracies are scoreboards of relations of influence, and ethnographers have been working to get in on the game.²⁰ As one respondent put it succinctly, "In my experience, ethics committees are full of either busybodies or pragmatists who try to rein the busybodies in. Thank God for the latter." Many described making an effort to get an anthropology representative on their local ethics committee, not only to rein in the "busbodies" but also to educate or influence the nonethnographers.

HOW DO RESEARCHERS EXPLAIN THE BEHAVIOR OF ETHICS COMMITTEES?

On balance, the data show that opinions toward ethics committees are mostly stable, but when they do change, they are slightly more likely to have changed for the worse over time (42 percent have not changed their opinion about ethics committee review since first becoming aware of it, 25 percent have become more supportive, and 33 percent have become less supportive).

"Initially, I had no problem with doing this because I genuinely believed that the goal of the IRB was to make certain that participants were not harmed. Once I realized how political the process was and how much it was driven by university fear, I became outraged.

[I first became aware of it in] the 80s. I thought it was a very good idea, as I'd worked by then with or around marginalized peoples (indigenous, rural, poor, and/or devalued gender) and saw not only much potential for abuse, but actual instances of it. I was pleased

there was a process beginning to be established, which would act to prevent such abuses. However, as I heard more and more accounts of how IRBs worked and were constituted—often of people with little experience themselves, or who wanted to impose ‘one size fits all’ rules across a highly textured and variable research landscape—I became very disillusioned.”

A common critique was that ethics bureaucracies do not necessarily ensure more ethical research, and the belief is widespread that they exist to protect universities or other powerful institutions, not research subjects:

“At my home institution ... it’s more or less commonly accepted that the process has nothing to do with ethics and everything to do with legal liability. ... Conversations about ethics are hugely important when doing ethnographic work, and my dissertation research proposal had a significant section devoted to them. But the REB process was the least helpful thing I did concerning issues of ethics.

“Ultimately, I think that what institutions really care about (and should care about) is legal liability. I would be much happier if they called these ERBs Legal Liability Review Boards and had proper attorneys sitting on them rather than paranoid social scientists who have too much time on their hands and sit around fantasizing about the worst possible cases that could arise despite any consideration of the probabilities of such cases occurring.

“At first, I saw the ethics approval process as a bureaucratic hurdle, and I still feel that it largely exists to indemnify the university against any potential lawsuits. Generally, I feel that the positive outcomes in terms of ethical practice in ethnography are a side-effect, rather than the main intent, of the process at my university.”

Respondents also express a recognition that the expansion of the ethics regime (or what Lederman, Fitzgerald, and others call “mission creep”) is part of a broader process of an expanding neoliberal audit culture in universities, which Strathern has written about in the UK and Margaret Jolly has described in the Australian context.²¹ Not all regarded audit culture in a negative light; some identified the process as an opportunity to use such audit mechanisms to rein in unethical research practice:

“As it happens, I was pleased by the development [of institutional ethics review]. I had felt there was too little discussion of ethical

matters in my department. Indeed I knew that some of my colleagues had counseled some of their Ph.D. students to undertake covert research. I was glad that we were now being asked to think about these issues and to have to try and explain why we do what we do to others who do not share our specialty.”

Many respondents framed the expansion of ethics bureaucracies as reactions to wartime politics and/or disciplinary scandals—most recently issues around the Human Terrain System in the United States—and a sense that ethics procedures protect not only universities but also researchers from criticism:

“The anthropology in North America currently is filled with much formal and informal discourse regarding the ethical treatment and application of our research. Much of this discussion was fueled by the deployment of the Human Terrain System. To avoid unnecessary criticism from colleagues, it might be best [to] obtain review board oversight. Basically if something is going to be criticized, it might be better to shift some of the responsibility and attention elsewhere.”

In sum, we see a variety of explanations that ethnographers offer for why ethics committees—which are, after all, staffed by their presumably intelligent, well-meaning colleagues—seem to impose blocks on ethnographic research without necessarily improving the ethical orientation of that research. Some think the board members stupid or, somewhat more kindly, merely ignorant of ethnographic research methods. Some believe they have hidden agendas: to protect the university, governments, or corporations rather than research participants. Others explain the workings of ethics committees with reference to the insidiousness of bureaucracy, with its almost uncanny ability to turn intelligent researchers into nitpicking bureaucrats who insist on forms being filled in just so. In this vein, some argued that when we sit on ethics committees, we take the critical faculties we hone in our own writing and turn these on our colleagues with petty viciousness. Still others understand the expansion of ethics regimes in reference to external events, particularly the very visible debates over the Human Terrain System, the Tierney-Chagnon controversy, and the lawsuit against Jared Diamond.²²

Contrary to Taylor and Patterson's findings in their qualitative study of researcher attitudes in Canada, ethnographers who were critical of ethics review in this survey are *not* primarily senior academics.²³ Taylor and Patterson interviewed qualitative sociologists at every major research institution in Canada and concluded that it was largely senior male researchers (and some

senior women) who actively resisted ethics bureaucracies, seeing them as an encroachment on their personal power and academic freedom, while junior women researchers mostly regarded ethics bureaucracies positively and advocated working cooperatively with them. They explain this through a psychologizing logic that suggests that young women see power as residing more in their ability to influence others, rather than in research autonomy, which was more highly valued by the senior male respondents.

My survey did not ask about gender of respondents in this survey, so unfortunately it is not possible to disaggregate results by gender. However, when the responses are filtered based on seniority, we find that there is not a great deal of difference by age, though respondents who received their highest degree between 1995 and 2004 were slightly *more* critical of ethics review than those who received their degrees earlier, and the most junior—those who received their highest degree in 2005–10—were the least likely to agree to the 1977 position that ethics review committees were inappropriate to ethnographic research. Nevertheless, this youngest cohort also was no more likely than older cohorts to fully identify with the current official AAA position. In this survey, seniority was also not a predictor of compliance. Those who received their highest degree in the 1970s or 1980s were just as likely to seek institutional ethics review as those who received their highest degree in 2005–10.

WHY DO ETHNOGRAPHERS COMPLY WITH ETHICS COMMITTEES?

If ethnographers feel generally ambivalent about the ethics review process, then why do they seek ethics review committee approval for their own ethnographic research? Some 60 percent said that they always submit their research for institutional review, while only 13 percent said they never do. When asked the open-ended question of why or why not, 172 (60 percent) said that they did so because it was required—either by their university, in order to get funding, or by a country or organization in which they were doing research. Some elaborated that they feared that they could not get published or that they would not receive tenure if they did not comply. Another 47 (17 percent) said that they complied with ethics review because it was useful or important, a moral duty or the ethical thing to do, or because it was a standard protocol. Nine (3 percent) said that they did it to protect themselves, and only five said that they specifically did it to protect informants (though we can assume that some of those who said ethics review was useful or important had this as one of their implicit reasons). Only twelve (4 percent) said that they did not submit their research for ethics review because it was too daunting, tedious,

inconvenient, or unreasonable, and eleven said that they did not comply because formal review would not make their research more ethical.

But such neat typologies do not fully encapsulate the fact that many anthropologists have multiple reasons for complying with ethics review, and some respondents offered reasons that were simultaneously cynical and idealistic. Contrary to what I expected when I designed this survey, what we see in these data is not a neat typology of generationally distinct attitudes toward institutional ethics oversight. What we see in many instances is people who have very complex attitudes toward ethics regimes and a range of motivations that encourage them to comply. This means not only diversity between institutions but individuals acknowledging multiple complex attitudes and motivations. Here, for example, is the response from one person explaining why she or he cooperates with the regime of ethics review in Canada:

“(1) Because I believe the ethics committee is genuinely trying to protect human subjects (while also, of course, trying to limit university liability) even if they tend to use a medical/psych disciplinary model that doesn't work well for ethnography. Moreover, our university ethics office is getting better at understanding ethnographic methods and has tried to come up with guidelines to help researchers using methods like participant observation anticipate the kinds of ethical questions that will arise.

“(2) All grants have to go through the grants office and they don't release the money until you get ethics approval.

“(3) I am pretty sure I would be fired if I was caught doing research without ethics approval.”

Such responses recall a wonderful moment in Tracy Kidder's biography of Paul Farmer, *Mountains Beyond Mountains*, where he describes how Paul Farmer explained his shifting understanding about Haitians' beliefs about the relationship between witchcraft and biological organisms in causing disease. Farmer describes how one woman told him that she knew tuberculosis came from coughing germs. But she also said that she knew it was caused by sorcery. He asks her, “If you believe that, then why did you take your medicines?” She responds with a Creole phrase that, roughly translated, means, “Honey, are you incapable of complexity?”²⁴

Clearly ethnographers are also capable of complexity, and many, if not most, understand ethics bureaucracies as complex institutions with shifting membership and historically evolving responses to ethnographic research

dilemmas, which were simultaneously designed to protect research participants at the same time that they are part of an expanding neoliberal audit culture, and which probably will never be rolled back entirely but which can be co-opted, influenced, and “educated” to varying degrees.

CONCLUSIONS: DISJUNCTURES, “HORROR STORIES,” AND THE IMPORTANCE OF TALK

Respondents offered a number of insights, and in some cases outright recommendations, for what it would take to improve relations between ethnographers and ethics committees. The most disillusioned respondents were often those who had never served on an ethics committee, who did not know anyone else who had, who did not understand how the committee worked, and who did not believe that there was any way to influence it or appeal outcomes. In contrast, many offered stories about serving on an ethics committee and seeing this as an opportunity to educate their committee about the particular contexts of ethnographic research. In the process, they often transformed their understandings of the value of ethics review—and in turn, conveyed this message back to their colleagues.²⁵

Some respondents also told stories about the positive experiences they had discussing research ethics within their departments and contrasted these with the formal, less dialogical, and less reflective process of applying for formal ethics approval from an ethics committee. Some described, for example, how their departments invite students to discuss the ethics of their research design at department workshops and presentations before leaving for the field, which not only reminds students that ethics is a disciplinary (not just bureaucratic) concern but also shows them that ethics is something that we actively debate and construct, not a fixed and unchanging set of timeless rules. Respondents often describe a jarring disjuncture between these productive discussions about research ethics that they have with colleagues and the bureaucratic procedure of obtaining “ethics approval.” In the context of this survey, many used the term “ethics” not to refer to the moral habitus that ethnographers cultivate vis-à-vis those we work with but rather as shorthand for “a bureaucratic hoop-jumping exercise.” Yet most of the free-answer responses also indicate that, regardless of their attitude toward the ethics review process, ethnographers regard the careful consideration of research ethics to be a moral imperative.

The implication is clear: by and large, we care deeply about ethics and take them into account in our own research. Yet the mechanisms that institutions have instituted to supposedly “safeguard” research participants are often

seen as mere bureaucratic tedium. This does not lead most researchers to give up on the concept of ethical research, but it does generate a sense of the illegitimacy of the institution of ethics review. Ethics bureaucracies will only be able to claim legitimacy if they persuade and invite participation rather than command compliance.

This article began by asking: What is the prevalence of horror stories about ethics review within an international community of ethnographers, and what effects do such stories have on ethnographers' understandings of the institution of ethics review boards? Only a minority of survey respondents reported a personal horror story of what one respondent wittily called "ethical boarding."²⁶ Yet many respondents who had never personally had a really bad experience with an ethics committee recounted a story of a colleague who had.

Even if we could quantify the percentage of ethnographers who had a bad experience with an ethics committee, that would fail to tell us anything about what it means to *tell a story* about a bad experience with an ethics committee. Some scholars insist that ethics review committees are fairly open to ethnographic research or that "anecdotal 'horror stories'" are unrepresentative.²⁷ Such dismissals of anecdotes underestimate their discursive effects within the discipline. For example, telling a colleague or a student about an experience with an ethics committee that has an overly clinical or quantitative bias may influence that colleague to frame his or her next ethics application in more clinical and less ethnographic language. And when we learn to speak the language of "protocols" and "research subjects" instead of framing our approach to research as a reflexive process of learning from informants, consultants, teachers, and mentors, we may be transforming our practice and our orientation toward research in more insidious and subtle ways.²⁸

Rumors and gossip, whether or not true and whether or not generalizable, are nevertheless *social facts* because they circulate in a community, and in that circulation they have important social effects.²⁹ Despite the fact that functionalist approaches toward studying gossip and rumor have largely been discredited in anthropology, there is still much value in asking what gossip and rumors do within a social world.³⁰ Complaints and horror stories about encounters with ethics committees that "don't understand ethnographic research methods," for example, or that "read anthropology applications through a biomedical lens" (to paraphrase two of the most common complaints from ethnographers), may be spoken in corridors or they may be aired in peer-reviewed journal articles, and whether they are believed or contested they contribute to group understandings of how ethics review works and what it means for ethnographers. This in turn shapes the ways that we

interact with the ethics review process, which may include auto-censorship and self-disciplining as we write our ethics applications and even frame our research projects.³¹ Moreover, the social process of spreading these complaints, rumors, and stories about ethics review may have other, less tangible (and even functional) social effects, including the forging of intergenerational alliances between supervisors and Ph.D. researchers, disciplinary boundary-marking, and teaching students what is unique about anthropological research methods.

The history of research ethics regulation can be told from the top down: a history of legislatures, commissions, and professional associations responding to major scandals with policy statements and rules. But a second history exists—a bottom-up history of researchers reacting to those statements and rules. It is this history that determines whether a researcher takes to heart the recommendations of an ethics committee or dismisses them as meaningless and, therefore, whether the elaborate structure of ethics review has any effect on the people it is supposed to protect. Rather than reject the documents of this history, whether written or oral, as mere anecdotes, scholars and policymakers must appreciate them as a way to understand the real impact of decades of policymaking.

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NOTES

1. The quote comes from William C. Sturtevant in written testimony for the U.S. National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, transcript of the public hearings, 3 May 1977, 692. (Sturtevant was a member at large of the AAA executive board.)

2. American Anthropological Association, Statement on Ethnography and Institutional Review Boards, Adopted by AAA Executive Board, 4 June 2004, www.aaanet.org/stmts/irb.htm (accessed 15 June 2010).

3. Edward Bruner, “Ethnographic Practice and Human Subjects Review,” *Anthropology News* (January 2004): 10; Maureen Fitzgerald, “Punctuated Equilibrium, Moral Panics, and the Ethics Review Process,” *Journal of Academic Ethics* 2 (2004): 315–38; Maureen Fitzgerald, “Big Basket or Mission Creep?” *Professional Ethics Report* 17 (2004): 1–3; C. K. Gunsalus, “Human Subject Regulations: Whom Are We Protecting from What, and Why? Working to Align Incentives with Ethical Goals,” *Professional Ethics Report* 16 (2003): 1–3; C. K. Gunsalus, Edward M. Bruner, Nicholas C. Burbules, Leon Dash, Matthew Finkin, Joseph P. Goldberg, William T. Greenough, Gregory A. Miller, and Michael G. Pratt, “The Illinois White Paper: Improving the System for Protecting

Human Subjects: Counteracting IRB 'Mission Creep,'" *Qualitative Inquiry* 13 (2007): 617–49; Kevin D. Haggerty, "Ethics Creep: Governing Social Science Research in the Name of Ethics," *Qualitative Sociology* 27 (2004): 391–414; Rena Lederman, "The Perils of Working at Home: IRB 'Mission Creep' as Context and Content for an Ethnography of Disciplinary Knowledges," *American Ethnologist* 33 (2006): 482–91; Daniel Bradburd, "Fuzzy Boundaries and Hard Rules: Unfunded Research and the IRBs," *American Ethnologist* 33 (2006): 492–98; Richard A. Shweder, "Protecting Human Subjects and Preserving Academic Freedom: Prospects at the University of Chicago," *American Ethnologist* 33 (2006): 507–18.

4. Caroline H. Bledsoe, Bruce Sherin, Adam G. Galinsky, Nathalia M. Headley, Carol A. Heimer, Erik Kjeldgaard, James T. Lindgren, Jon D. Miller, Michael E. Roloff, and David H. Uttal, "Regulating Creativity: Research and Survival in the IRB Iron Cage," *Northwestern University Law Review* 101 (2007): 593–641.

5. Haggerty, "Ethics Creep," 393.

6. Christopher Shea, "Don't Talk to the Humans: The Crackdown on Social Science Research," *Lingua Franca*, September 2000, writes about several similar cases of Ph.D. students and professors who were already doing research when the rules at their institutions changed to require ethics review, and the emotionally charged negotiations with the local ethics committees that ensued.

7. See, for example, Rena Lederman, "Comparative 'Research': A Modest Proposal Concerning the Object of Ethics Regulation," *Political and Legal Anthropology Review* 30 (2007): 305–27; Shea, "Don't Talk to the Humans"; Greg Downey, "Ethics Review and Anthropology," *Anthropology News* (March 2008): 25; Robert Simpson, "Ethical Moments: Future Directions for Ethical Review and Ethnography," *Journal of the Royal Anthropological Institute*, in press.

8. Haggerty, "Ethics Creep"; Lederman, "Comparative 'Research'"; Lederman, "The Perils of Working at Home"; Rena Lederman, "Introduction: Anxious Borders Between Work and Life in a Time of Bureaucratic Ethics Regulation," *American Ethnologist* 33 (2006): 477–81; Bledsoe et al., "Regulating Creativity"; Gunsalus et al., "Illinois White Paper."

9. Marilyn Strathern, *Audit Cultures: Anthropological Studies in Accountability, Ethics, and the Academy* (London, 2000); Margaret Jolly, "Antipodean Audits: Neoliberalism, Illiberal Governments, and Australian Universities," *Anthropology in Action* 12 (2005): 31–47; Kari Dehli and Alison Taylor, "Toward New Government of Education Research: Refashioning Researchers as Entrepreneurial and Ethical Subjects," in *Education Research and Policy: Steering the Knowledge-Based Economy*, ed. Jenny Ozga, Terri Seddon, and Thomas S. Popkewitz (New York, 2006), 105–18.

10. Judith Taylor and Matthew Patterson, "Autonomy and Compliance: How Qualitative Sociologists Respond to Institutional Ethical Oversight," *Qualitative Sociology*, published online 23 February 2010. While Taylor and Patterson are correct to note that empirical research on the ways that researchers experience institutional ethics review has been very limited, they fail to acknowledge van den Hoonaard and Connolly's research on this topic: Will C. van den Hoonaard and Anita Connolly, "Anthropological Research in Light of Research-Ethics Review: Canadian Master's Theses, 1995–2004," *Journal of Empirical Research on Human Research Ethics* 1 (June 2006): 59–69. Taylor and Patterson do acknowledge the empirical research of Bledsoe et al., "Regulating Creativity."

11. Haggerty, “Ethics Creep,” 394. However, this varies by jurisdiction. The National Commission’s 1978 IRB report notes that some states require IRB committee meetings to be open to the public. Department of Health, Education, and Welfare, “Institutional Review Boards: Report and Recommendations of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research,” *Federal Register* 43 (30 November 1978): 56194.

12. Laura Stark, “Victims in Our Own Minds? IRBs in Myth and Practice,” *Law & Society Review* 41 (December 2007): 783.

13. Taylor and Patterson, “Autonomy and Compliance.”

14. The research project was, of course, approved by Macquarie University’s Human Research Ethics Committee, which incidentally approved the original application without requesting any modification.

15. Bradford H. Gray, Robert A. Cooke, and Arnold S. Tannenbaum, “Research Involving Human Subjects,” *Science*, new series, 201 (22 September 1978): 1094–1101; Department of Health, Education, and Welfare, “Institutional Review Boards: Report and Recommendations of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research,” *Federal Register* 43 (30 November 1978): 56174–98.

16. Laura Nader, “Up the Anthropologist—Perspectives Gained from Studying Up,” in *Reinventing Anthropology*, ed. Dell H. Hymes (New York, 1972), 284–311.

17. For similar perspectives, see Bledsoe et al., “Regulating Creativity”; and Haggerty, “Ethics Creep.”

18. As Kirsten Bell (personal communication) has pointed out to me, the latest version of the *Tri Council Policy Statement* in Canada explicitly addresses this issue (p. 28). It states: “Permission is not required from an organization in order to conduct research on that organization” (Article 3.6) and later clarifies that researchers who aim to adopt a critical position vis-à-vis an institution need not obtain permission from that institution in order to obtain ethics approval to study it. *Revised Draft 2nd Edition—Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (2009), <http://pre.ethics.gc.ca> (accessed 23 July 2010).

19. Lederman, “Perils of Working at Home”; Lederman, “Anxious Borders”; Charles L. Bosk and Raymond G. De Vries, “Bureaucracies of Mass Deception: Institutional Review Boards and the Ethics of Ethnographic Research,” *Annals of the American Academy of Political and Social Science* 595 (2004): 249–63. See Stark, “Victims in Our Own Minds?” for a critique.

20. David Mosse, *Cultivating Development: An Ethnography of Aid Policy and Practice* (Ann Arbor, 2005).

21. Strathern, *Audit Cultures*; Jolly, “Antipodean Audits.”

22. The Human Terrain System (HTS) is a U.S. Army program that pairs anthropologists and other social scientists with occupation troops in Afghanistan and Iraq. It and related military and intelligence initiatives to recruit anthropologists (such as the Minerva Project, which funnels U.S. Department of Defense money through the National Science Foundation to fund social science research in areas of strategic interest to the United States, and the Central Intelligence Agency’s PRISP scholarships, which, like indentured servitude, require recipients to work for the CIA after they have graduated), have been recent flashpoints for debate over anthropological ethics. Roberto J. González, *American Counterinsurgency: Human Science and the Human Terrain* (Chicago, 2009). González is the first anthropologist to write an entire book on the topic, but other key figures writing

on the HTS, PRISP, and Minerva include David Price (e.g., 2000, 2005, 2007) and Hugh Gusterson (2010, Gusterson and Price 2005). David Price, "Anthropologists as Spies," *Nation*, 2 November 2000, 24–27; David Price, "From PRISP to ICSP: Skullduggery Among the Acronyms." *CounterPunch* 12 (2005): 3–4; David Price, "Buying a Piece of Anthropology, Part II: The CIA and Our Tortured Past." *Anthropology Today* 23 (2007); Hugh Gusterson, and David Price, "Spies in our Midst," *Anthropology News* 46 (2005): 39–40; Hugh Gusterson, "Do Professional Ethics Matter in War?" *Bulletin of the Atomic Scientists*, 2010, www.thebulletin.org/node/8326 (accessed 22 June 2010). Journalist Patrick Tierney published a 2000 book called *Darkness in El Dorado*, which accused anthropologist Napoleon Chagnon of a number of ethics violations in his research among the Amazonian Yanomami tribe. The accusations led to a controversial American Anthropological Association task force and report investigating the accusations. That task force in turn led anthropologists to question the role of professional organizations, such as the AAA, in policing anthropologists' research ethics. Robert Borofksy, *Yanomami: The Fierce Controversy and What We Can Learn from It* (Berkeley and Los Angeles, 2005). In 2008, Jared Diamond published an article in *The New Yorker* magazine about warfare and revenge in Papua New Guinea, which described a clan war organized by a Papua New Guinean named Daniel Wemp. Wemp subsequently sued the *New Yorker* and Diamond for defamation. While Diamond is not an anthropologist, many of his popular readers regard him as one, and the case has led to interesting debates in anthropology circles about the standard practice, considered a norm of ethical research, of not publishing informants' real names. Michael Balter, "'Vengeance' Bites Back at Jared Diamond." *Science* 324 (2009): 872–74. As Shannon May has pointed out, the practice of using pseudonyms may protect anthropologists as much as it protects informants, because when anthropologists hide identities, it makes it difficult, if not impossible, for their informants to challenge their accounts and interpretations. Shannon May, "Rethinking Anonymity in Anthropology: A Question of Ethics," *Anthropology News* 51 (2010): 10–13.

23. Taylor and Patterson, "Autonomy and Compliance."

24. Tracy Kidder, *Mountains Beyond Mountains* (New York, 2004), 35.

25. See Downey, "Ethics Review," for a call to serve.

26. By evoking the U.S. government's use of waterboarding to interrogate prisoners, this respondent alluded to common claims that ethics review is torture without resorting to gross hyperbole.

27. Adam Hedgecoe, "Research Ethics Review and the Sociological Research Relationship," *Sociology* 42 (2008): 873–86; Stark, "Victims in Our Own Minds?" 783.

28. van den Hoonard and Connolly, "Anthropological Research"; Lederman, "Comparative 'Research'."

29. Émile Durkheim, "What Is a Social Fact?" in *The Rules of the Sociological Method*, ed. Steven Lukes, trans. W. D. Halls (New York, 1982), 50–59.

30. For a functionalist approach, see Max Gluckman, "Gossip and Scandal," *Current Anthropology* 4 (1963): 307–15. For challenges, see Robert Paine, "What Is Gossip About? An Alternative Hypothesis" *Man* (n.s.) 2 (1967): 278–85; and Sally Engle Merry, "Rethinking Gossip and Scandal," in *Toward a General Theory of Social Control*, ed. Donald J Black (New York, 1984), 271–302.

31. Dehli and Taylor, "Toward New Government of Education Research."