

The ethics and arguments surrounding covert research

Huib van Amstel

Cultural Anthropology

Abstract

Covert research has long been a hotly debated ethical issue. Where ethical guidelines are considered, they are often found to be too strict to be applied to any kind of fieldwork. Though definite limits to the freedom of research can be set, such as the use of physical violence or the unintentional condoning of law breaking, covert research knows some more ambiguous problems that are not always agreed on. Ethical guidelines often deal with the issues of deception, the possible abuse of researcher's power and the violation of privacy. These are two important considerations regarding any kind of social research, but their application in ethical guidelines is often found to be too restricting for the fieldworker's situational encounters with myriad social settings, groups and contexts. Every type of research that might be characterized as 'covert' should therefore be carefully considered on a case-by-case basis in order to assure that it is properly conducted, using peer previews and reviews. This article examines the main issues regarding covert research, such as the problems of deception and violation of privacy, and discusses the possibility and utility of ethical guidelines.

Keywords: overt, covert, fieldwork, ethnography, ethnographer, ethics.

Introduction

Modern considerations regarding the ethics of research can largely be traced back to the Nuremberg Code (1947) which was drafted after atrocities perpetrated by Nazi doctors during the Second World War in the name of medical research. As regards the social sciences, that code stipulates that researchers should always "weigh the necessity of the research process against any invasiveness into societal privacy" (Van Deventer, 2007, p. 47). Of course this stance is open to a wide range of interpretations regarding individual's rights, what the greater good is, the extent of the researcher's responsibility, and, most importantly, the researcher's own ethical code regarding the myriad aspects of research. Ethical guidelines have thus been subject to a wide range of interpretations, and no consensus regarding a standardization of the ethics of fieldwork has as of yet been reached. This article will describe some of the discussion in the

relevant literature, provides some absolute boundaries as to where the limits of covert research are and offer suggestions as to how to best regulate research.

Literature

The articles used in this particular literature review were for the most part accessed from the Omega Digital Library of Utrecht University in November and December, 2012. Other sources were found using the search machines Google Scholar and Anthrosource. Articles were found using key terms, as well as by examining the bibliographies of several articles initially utilized. Some literature used is in the possession of the author himself. The actual places where the articles were written vary considerably, but most were published in the United States, the United Kingdom and the Netherlands.

Ethical Considerations

One of the problems in the debate regarding overt and covert research is that the matter is not as black and white as is often supposed, especially in relation to ethnographic fieldwork. Thus, rather than there being a dichotomous opposition between two methods, research can instead be considered in terms of a continuum of options and considerations where it is hard to draw a strict line that is universally applicable between what is considered unethical and what is considered ethical.

Violation of Privacy

Humphreys' (1970) study of the behavior of men engaging in homosexual acts in public restrooms is often taken as an example of research in which the privacy of informants was violated. Such violation occurred not only as a result of the actual observation of the homosexual act by Humphreys in the covert social role of 'watchqueen' but also when he secured the addresses of the men involved by tracing using the license plate numbers of their cars, and then used this information to track them down and question them. Humphrey used two different social roles in which he deceived his informants. The latter were thus doubly deceived about the role of the social researcher and the use of their acts and statements as research data. The privacy of Humphrey's informants, who were (according to him) preoccupied for the most part with hiding their behavior from family and friends, was harshly violated not just once, but twice during this research. Steps taken to guard subjects' privacy, such as assuring total anonymity and the safeguarding their identity, should be implemented fully and consistently, especially when research data is shared with others.

However it may be the case that subjects in a public setting have given up their right to privacy merely by acting and making statements in such a setting. The distinction between what may be construed as informants' rights in public and private

(Spicker, 2011) is very difficult and here, as anywhere else, specific circumstances may warrant or restrict the use of a covert researcher presence.

The argument that covert research deprives informants of the right to refuse participation or to withdraw from the research study is also one of the arguments for conducting it. In groups that are hard to reach because they are closed to or suspicious of outsiders, the only way to study those groups is to actively become a participant and exclude the researcher's role of social scientist from social participation in the group. Winlow et al's (2001) study of doormen, could only have taken place not by observing them or even becoming one of them but, effectively, *being* one of them since this particular group was very exclusive, making it difficult if not impossible for any outsider, especially one identifying himself as a researcher, to become a part of it. Of course the motivations for conducting even partially covert research must be considered carefully on a case-by-case basis, as Winlow very consciously did in his own study. The fluidity of the fieldwork setting requires a certain looseness of guidelines in order to enable the researcher to do his or her job.

This flexibility is illustrated in Lugosi's semi-covert study of hospitality in a mixed-sexuality bar (2008), where it was impossible to always inform every potential subject (i.e., all of the customers who entered the establishment) about the fact that he was conducting a study. He often introduced himself or was introduced as a person writing a book about the bar (p. 533). The discontinuity of the researched groups over a long period of time often made his position unclear in the eyes of his informants, who variously were totally aware of his function, partly aware, assumed him to be a journalist of some sort, or were unaware of any scientific attention in the social setting whatsoever. His own role in a relaxed social setting also made him unable to objectively

separate his roles as bartender and researcher at all times.

Deception

One of the primary arguments against covert research is that it effectively and knowingly deceives the subject, depriving her or him of her or his right to choose whether to participate in the research. Cassel (1980) identified four different types of human research, using them to exemplify difficulties along the spectrum between overt and covert research, depicting her classification in a graph (p. 29). She begins with biomedical experimentation, where researchers are normally perceived by subjects as having great power, not only over subjects but also over the research setting and the context in which the research is taking place. While typified as overt research, due to the perception of the researcher as being powerful, the biomedical research subject might feel forced to consent and comply. Cassel refers to a study by Gray (1975) who took as his subject another study in which hospital patients felt compelled to become research subjects due to the perceived unquestionable authority of the researcher, who also happened to be their doctor. In a way, even if unintentional, the use of power by the researcher manipulates the subject. Some of the subjects in this particular study even admitted to a feeling of being deceived by the researcher due to not knowing they were participating in an experiment, despite the fact that they had signed a consent form. One famous example of blatantly deceptive research is the experiment conducted by Milgram (1963) where he explicitly used his perceived authority to mislead research subjects. He abused the trust placed in him by research subjects who were sure that what they did was not wrong because they were told and reassured by the researcher that the apparent brutal violence they engaged in did not cross any boundaries. Here we see that the use of power implicit in at least some forms of 'overt' research

can be construed as an unethical deception of subjects. Covert research in most cases avoids this problem, since the researcher does not acquire authority as a result of being perceived as a researcher. Rather his presence within the studied group grants him a sort of equality within social reality.

While it might be true that deliberate deception of informants by directly lying or pretending to have a role different from that of a social researcher can be considered unethical, this definition runs into trouble where any social interaction takes place. As Fitch (1984) has pointed out, small tricks of the trade aimed at eliciting information are used by many social scientists in studies in which the researcher engages in social interaction with those researched. In a way, the scientist always manipulates or deceives the subject, if only by being present, being friendly, and 'putting on a mask' as a social person while being a researcher. Even comforting informants, or creating a sterile research environment, may be construed as deception or manipulation from a power base. This problem is especially prominent in fieldwork where, according to Cassel (1982), it may be considered ethically unsound to insincerely conform to social rules, while the research is conducted in an open manner and a subject's consent has been acquired. Accusing those engaged in covert research of deception automatically turns the argument against every kind of research where particular acts occur that are intended to put subjects at ease, elicit information, establish trust, and pursue similar goals that are unethical according to specific definitions. Hilbert (1979) calls this 'passing' or 'impression management' and sees it as a natural part of fieldwork. Once a researcher is aware of the conduct he or she engages in to facilitate research, be it sincere or consciously manipulative, any act aimed at eliciting information may be construed as unethical. From this point of view, any research involving social

interaction is problematic. Duncombe and Jessop (2002) see the achievement of rapport with informants in a similar light. Since subjects are effectively deceived into forming a relationship with another human being—a relationship of a character different from what would be possible with a ‘neutral’ researcher—one might even consider the building of rapport in order to obtain information a deceptive method in which subjects are used as instruments of the researcher’s goal. In effect, the assumed innocent manipulations of subjects could be said to create a distorted perception on their part.

Hawthorn Effect

Another argument advocating the use of covert research is that it attempts to avoid the ‘Hawthorn Effect’ (Van Deventer, 2007), which refers to the fact that the behavior of subjects can be changed by the mere presence of the researcher. As said before, a researcher’s pretending that he or she holds a social position equal to that of the subject avoids the effect that the authority - or even the mere social presence - of the researcher might have. This means that subjects will not change any of their behavior on the basis of being studied. Covert research will therefore achieve different results as opposed to overt research, in a way that will of course always depend on the specific setting and research objective.

Maintaining Cover

It should be noted that both Winlow and Pearson (2009) (the latter in his covert study of football hooligans) ran into trouble when it became likely that they would be forced to commit acts of violence in order to maintain their cover. Here we see an entirely different set of ethical considerations pertaining to covert research, a set where the researcher himself runs into serious trouble in order to maintain adherence to ethical standards. Committing violence in the name of research is an ethical violation however

one looks at it, and for this reason appears to never have been the subject of study, disregarding occasional atrocities which we all agree on are unethical. In this connection, it should also be pointed out that the safety of the researcher also cannot be assured in covert research. Of course the safety of the researcher in any social setting can never be totally assured, but it should be clear that Winlow could not definitely exclude himself from responsibility for causing suffering from violent acts. Or as Van Deventer says, the safety of a researcher conducting covert fieldwork (in, for instance, a Vampire Cult) can be quite uncertain. Due to possible repercussions from the group in which the researcher has been inserted in the event of the field worker suddenly ending the study, the considerations regarding violence are very likely to be a breaking point in the application of covert research in fieldwork settings. The same can be said for the occurrence or admission of crime in the research group (Israel, 2004), where reporting the committed crime seriously damages confidentiality, not to mention creating ethical difficulties the researcher.

Ethical review

It should be clear from this article that the many different situations in which the field worker functions create great difficulties for the application of a completely inflexible ethical guideline. Fluehr-Lobban (1994) advocates some general limits and even the full use of informed consent, albeit without the formality of signed forms. The act of conducting fieldwork generates a myriad of social settings and circumstances in which researchers may often find themselves incapable of correctly informing subjects about the fact that they are conducting research. This is of course impossible in settings where the research depends on the researcher being in a position of needing to maintain absolute cover, as in Winlow’s study. However Lugosi’s research of hospitality

in a mixed-sexuality bar (2008) can be seen as overt, despite the difficulties he had in informing every subject that research was in fact being done. Van Deventer (2007) advocates the careful consideration of ethical issues during all phases of research, including planning, implementation and analysis (not only by the researcher himself, but also by others, for the purpose of not compromising the researcher's ethical stance).

Conclusion

The ethnographer's unique position in the fieldwork setting must always be considered from an ethical point of view. The myriad problems a researcher may encounter cannot be strictly regulated in a catch-all ethical guideline that runs the risk of restricting a researcher's freedom to conduct what is essentially ethically sound (even if *technically* 'unethical') research. Where the researcher's aim is to improve understanding of the people from whom data is retrieved, the benefits of any study should always be carefully balanced against any possible ethical transgressions on the part of the researcher. Naturally, some limits may be set. Thus, where the researcher is in a situation where another person, be they informants, the researcher or others, is at risk of violence or a transgression of law somehow induced by the researcher, the latter is strongly advised to reassess the situation and take steps to either prevent the violation of law or change the setting. Prior ethical review of a prospective study, followed by monitoring and review regarding the aspects of covertness of any research that is actually conducted, should therefore be a standard component of any research. But the application of ethical standards should always take into account the specific social contexts in which research is conducted.

Bibliography

Cassell, J. (1980). Ethical principles for conducting fieldwork. *American*

Anthropologist, New Series, 82(1) (1980), 28-41. Wiley Online Publishing.

Duncombe, J. & Jessop, J. (2002). "Doing rapport" and ethics of "faking friendship". In M. Mauthner, M. Birch, J. Jessop & T. Miller (Eds.). *Ethics in qualitative research* (pp. 107-122). London: Sage.

Finch, J (1984). 'It's great to have someone to talk to: The ethics and politics of interviewing Women'. In C. Bell & H. Roberts (Eds.). *Social researching: Politics, problems, practice* (pp. 70-87). London: Routledge.

Fluehr-Lobban, C. (1994). Informed consent in anthropological research: We are not exempt. *Human Organisation*, 53(1), 1-10.

Gray, B.H. (1975). *Human subjects in medical experimentation: A sociological study of the conduct and regulation of clinical research*. New York: John Wiley & Sons.

Hilbert, R.A. (1980). Covert participant observation: "On its nature and practice". *Urban Life*, 9(1), 51-78.

Humphreys, L. (1970). *Tearoom trade: Impersonal sex in public places*. London: Duckworth.

Israel, M. (2004). Strictly confidential? *British Journal of Criminology*, 44(5): 715-740

Lugosi, P. (2006). Between overt and covert research: Concealment and disclosure in an ethnographic study of commercial hospitality. *Qualitative Inquiry*, 12(3), 541-561.

Milgram, S. (1963). Behavioral study of obedience. *Journal of Abnormal and Social Psychology*, 67, 371-378.

Nuremberg Code. Retrieved from <http://ohsr.od.nih.gov/nuremberg.php3>

Pearson, G. (2009). The researcher as hooligan. *International Journal of Social Research Methodology*, 12(3), 244–255.

Spicker, P. (2011). Ethical covert research. *Sociology*, 45(1), 118-133.

Van Deventer, J.P. (2009). Ethical considerations during human centred overt and covert research. *Qual Quant*, 43, 45–57, doi:10.1007/s11135-006-9069-8

Winlow, S; Hobbs, D; Lister, S & Hadfield, P. (2001). Get ready to duck: Bouncers and the realities of ethnographic research on violent groups. *British Journal of Criminology*, 41, 536-548.