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An ethical charter for ethnologists?
Ethical position of the Swiss Ethnological Society

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Ethical and Deontological Think Tank (EDTT)

The Ethical and Deontological Think Tank (EDTT) was created by the Swiss Ethnological Society (SES) in 2008. Its first mission consisted in drafting position paper on ethics in anthropological research, which was published and accepted and during the General Assembly of the SES in 2010. Wishing to extend the debate on ethics, the EDTT decided to publish case discussions on the SES website. Based on focused research examples, these case discussions should on the one hand present the ethical issues faced by researchers at various «moments» of the research, and on the other hand contribute to the reflection on what led the researchers to choose a particular solution. In publishing these case discussions, the EDTT does not seek to set itself up as a «judge» or «guarantor» of an ethics of anthropology. Rather, the aim is to document, in an educational and reflexive way, the place of ethics in the various «moments» of the research process and to show how ethics can be concretely integrated into the reality of fieldwork.

AN ETHICAL CHARTER FOR ETHNOLOGISTS?
ETHICAL POSITION OF THE SES

By the Ethics working party[1]

Our thinking about the need to provide the Swiss Ethnological Society (SES) with an ethical charter started in 2006, during the consultation procedure on the *Proposed Constitutional Article and Federal Law on Human Research.*[2] The Executive Committee of the SES then mandated the SES Scientific Committee to pronounce on the matter. Although the question had not previously been discussed formally within the SES, it has never been absent from ethnologists' concerns:[3] their various commitments have long raised many ethical and deontological questions.

In a letter to the Federal Office of Public Health (FOPH), in charge of the consultation process, the SES nonetheless asked for ethnology to be excluded from the disciplines concerned by the proposed article and law. The notion of "free and informed consent" that was involved presented a certain number of problems for research in our discipline. While prior consent must indeed be obtained before beginning any research, it is not always possible – for example, and to cite the text of the explanatory report relating to the draft proposed legislation – to provide our interlocutors (interviewees, fieldwork partners) with all the information that would enable them to judge the acceptability of "the relationship between the foreseeable risks and the potential benefit": our working hypotheses and our research problematics are constructed not only before but also during our research, in our interactions with our interlocutors.

While the drawing up of an ethical charter had been envisaged at the start of the process of reflection, the lively debates we had after this consultation – within a working party set up at the SES General Assembly in 2008 – showed that setting out an ethical stance would better correspond to the diversity of the questions addressed by ethnologists; the adoption of a charter was seen as too normative and expressing a particularly defensive position. In ethnology, free and informed consent should remain an ongoing, dynamic process accompanying all stages of research. Not being associated with clinical or experimental practices, it cannot be standardised, but must take account of the particular local situations, i.e. the existence of codes, laws, ethical charters, etc., specific to the countries or communities with which we work. It also seems to us essential to take account of the different types of risks to which our interlocutors may be exposed, which go far beyond potential health problems or direct physical or psychic reactions; these risks may also take on political dimensions. Moreover, we want to underscore the point that the research done by ethnologists

[2] On 7 March 2010, the constitutional article on human research was accepted by popular vote. For more information, see:

http://www.bag.admin.ch/themen/medizin/00701/00702/index.html?lang=fr (accessed 29 March 2010).

[3] In line with the nomenclature of our Society and the Swiss National Science Foundation, we use here the terms "ethnology" and "ethnologist," considering that they embrace the terms "anthropology" and "anthropologist."

does not all take place in sensitive areas and the risks it represents for the populations concerned remain relative.

To draw up this statement of position, we draw on various texts from other associations of ethnologists or in disciplines close to ethnology (mainly sociology and political science). We also point out that some aspects of the ethnological approach can be close to literature, oral history or journalism; in those areas, ethical stances or charters address issues rather different from those of ethnology. Such issues have been present for a long time in journalism, but literature and oral history by contrast seem much less concerned by them. This partly explains why there are so many debates around the adoption of charters and codes and why positions are divided.[4] The working party therefore decided to define a position which is set out in this publication, in order to open the debate and invite discussion.[5]

1. PREAMBLE

This document is addressed to all ethnologists, researchers, teachers and students engaged in an ethnological undertaking; it aims to bring to light a number of ethical issues and propose a set of "good practices," whether in research, teaching, diffusion of findings or archiving of data.

Paul Ricœur defines ethics and its "intention" as follows: "Let us define 'ethical intention' as *aiming at the 'good life' with and for others, in just institutions*" (1992: 172, author's italics; see also Ricœur 2006). Such a perspective distinguishes two moments in one and the same term – ethics; one is anterior, the other posterior. These moments are inseparable and complementary, but chronologically distinct. Whereas anterior ethics relates to the existence of fundamental moral norms or principles and their roots in social life, posterior ethics refers to the moment in which these same norms have to be applied and adapted to real, concrete situations. In this perspective, morality constitutes the stable aspect of ethics, which gives a content or framework to the good life and the justness of any instituted relationship. But, in parallel, Ricœur makes us attentive to a second, more dynamic aspect, that of deliberation: in any situation involving ethics, these fundamental principles have to be adapted and reactivated in accordance with local, situated, singular issues. The "good life" and the "just institution" must therefore be understood in a broad sense and, above all, as emerging from deliberations that are endlessly renewed according to the particularities of a context or situation.

The diversity of the situations in which ethnographic research – whether privately or publicly funded – is conducted and the use of ethnographic methods by other disciplines to collect first-hand qualitative data imply very heterogeneous research methods which involve this "ethical intention." In other words, the observance of certain fundamental principles – whether it be individuals' autonomy, respect for their freedom, their right to be informed and to know what will be done with what they say or do in the presence of the researcher, or not

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[4] Several associations have adopted such resolutions: American Anthropological Association, Australian Anthropological Association, Deutsche Gesellschaft für Völkerkunde, Association of Social Anthropologists of the UK and Commonwealth, Société canadienne de sociologie et d'anthropologie, Association internationale de sociologie, American Sociological Association, Deutsche Gesellschaft für Soziologie, International Society of Ethnobiology. Others have decided not to (Société suisse de sociologie, cf. Bulletin 132, 2007) or are opposed to them (as shown by the negative opinions expressed by anthropologists in France in the *Journal des anthropologues* or at the Assises de l'ethnologie et de l'anthropologie in 2007). Finally, some are still discussing the issue (Association française de sociologie, Association française de science politique).

[5] This statement was adopted by vote of the General Assembly of the SES on 5 June 2010.

endangering their lives – has to be appropriate to the specificities of the ethnological approach and its framework.

In the current context of institutionalisation of questions of professional ethics, we therefore wish to offer a tool for reflection and discussion on ethnographic practice and engagement, and not a list of constraining, normative recommendations.[6] Our aim is to anchor the ethical question in a dynamic response that makes it possible to reconcile the epistemological specificities of the ethnological approach, its scientific rigour and its responsibility to the people it involves in its research in the field.

This stance should be seen as a means of sensitisation to ethics in all stages of ethnological work. Far from being satisfied with the formal consent of our interlocutors (often with a form to be signed), we believe that in our discipline research can only be conducted if ethnologists are aware, throughout their work, of the implications it can have for the populations concerned. The notes we make in our research in the field invite us to remain vigilant as regards our actions, our understanding of the situations observed or experienced and the responsibilities we have towards our interlocutors, so as not to expose them to risks. This methodological reflexivity entails a particular posture towards the people we question or with whom we live in our fieldwork; it demarcates us from the conception of research that is presented in the federal bill on "research on the human being," since we essentially consider that we do not work *on* "the human being" but *with* human beings.

2. GENERAL PRINCIPLES OF ETHNOLOGICAL ENGAGEMENTS

2.1. In the field

Obtaining "informed consent" is currently the main formal response to the ethical questions of research. It is imported from medical research and, in ethnology, it has as many drawbacks as merits.[7]

It has the merit of inciting researchers to exercise greater vigilance in their fieldwork. It requires them to inform their interlocutors as clearly as possible of the implications of the project: the central issues of the research, the main questions to be asked, the processes and procedures of the inquiry, who is commissioning or financing it, and the guarantees of the various forms of anonymity and confidentiality. "Informed consent" also invites researchers to engage in a process of regular presentation and explanation of the analyses that are being conducted. It offers a right of inspection to the initiators of the research or interviewees and forces the researcher to anticipate some issues surrounding the findings (the use made of them, the benefits or problems that may ensue from them). Duly informed, fully enabled and entitled to assess the possible constraints that may bear on them, the future interviewees give their agreement. Minors or persons incapable of giving informed agreement must be covered by their parents, their guardians or the persons in charge of the institution in which they are placed.

This system allows for negotiation or co-construction of interviews, it opens the way to a pact for collaboration between ethnologists and their informants, but it clearly does not in

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[6] Questions relating to relations among professional peers and plagiarism will not be addressed here; the reader is referred on this subject to the European Commission's *European Charter for Researchers*: European Commission (2005): http://ec.europa.eu/euraxess/index.cfm/rights/europeanCharter.

[7] The reflections which follow draw extensively on the article by Daniel Cefaï, "Codifier l'engagement ethnographique? Remarques sur le consentement éclairé, les codes éthiques et les comités d'éthique" (2009), http://www.laviedesidees.fr/Codifier-l-engagement.html (accessed 3 June 2009).

itself ensure the successful unfolding of research which we know can take many unexpected turns. Ethnologists inquire with an arsenal of questions that may evolve and open up unforeseen topics; they observe unexpected events or talk with people who were not asked for their agreement at the outset of the research. Researchers negotiate their place in the "field" throughout a long process of inquiry, on the basis of their knowledge, their experience and research deontology.

As well as the problem of too narrow anticipation, informed consent presents other disadvantages and even risks. It may, for example, have the effect of reducing the sense of responsibility of questioners who, once they have obtained consent, no longer feel required to inform their interlocutors of the development of the research, or even lose sight of any "ethical intention."

The system also leads, in the short or medium term, to the creation of evaluation committees within the institutions in charge of research (SNSF, SAHS, etc.), universities, universities of applied sciences, or research institutes. These committees, charged with examining projects and then authorising their submission to funding bodies, could acquire too much power to select on the basis of ethical arguments when there are in fact sometimes methodological misunderstandings. Projects might, for example, be refused because of a misunderstanding of the methods and issues specific to anthropological approaches or a "legal nervousness" (Cefaï 2009: 22). Perhaps even worse, these committees are invariably caught up in the political struggles inside their institutions. There is therefore a real risk of a form of censorship of research through the instrumentalising of an "ethical" veto.

Other problems can arise in the ethics committees attached to some areas of research (e.g. medical research) which are not always familiar with the principles of what is called qualitative research. It is therefore desirable to work for a better understanding of the specificities of ethnographic inquiry, e.g. by creating social science committees active in journals, universities, specialised universities of applied science, research institutes and funding bodies (Cefaï 2009: 26).

Because of its centrality in the current formalised procedures and in debates on research ethics, the system of informed consent tends to mask other considerations, in particular with regard to the positioning of the ethnologist working in the field, who is, *de facto*, an actor caught up in power struggles and networks of obligation and loyalty. It follows from this that the research process itself can have direct consequences in the field. For example, it sets up certain actors as possessors of the legitimate discourse of and on the collective; more indirectly, the very presence of the ethnologist and the analyses she or he develops may be exploited in the struggles that run through a field bringing together different and sometimes competing populations.

As a substitute for the protocol of informed consent, we would therefore be more inclined to emphasise the need to inform the actors constantly of the aims of the research, to show them the results, and even involve them in the work of interpretation. But if we stopped short at this consideration alone, presented in that way, one might think that the whole procedure depends exclusively on the ethnologist. There are in fact many situations in which the researcher is isolated in the field or is assigned a status that does not correspond to the requirements of the research. The informed consent system presupposes dialogue, but this is not always possible: some informants may have no interest in the question, without being unwilling to be interviewed. Informed consent thus *a priori* excludes some fields, prevents some kinds of research, and tends, in a general way, to consider the informants as passive individuals incapable of standing up to the projects of the researchers, when in fact they are sometimes well able to induce some forms of self-censorship in the researchers or prevent publication of a study. How, in this case, can one favour or set up a dialogue with interlocutors who refuse it or, at least, reject its terms as put forward by the researcher

(without declining to take part in the survey)? In other words, there could be contexts of research in which this dialogue is simply not possible, not for lack of good will on the part of the ethnologist, but for lack of an interlocutor.

It should be emphasised here that observance of the ethical rules does not depend solely on the researcher and her/his good intentions. Observing these rules involves the definition of a number of established rules and principles, with the cooperation of the informants. But two obstacles stand in the way of such a procedure: on the one hand, depending on the place and the actors, the rules and principles vary so much that, in one and the same context of research, what is ethically acceptable changes from one situation to another. For example, despite the ethical principle of anonymity, the researcher may be led to divulge information to a third party if the informant is in danger or commits (what is seen as) a serious offence against the collectivity.

On the other hand, the actors do not always understand the ethnologist's motivations and may behave in various ways towards her/him – with the hope of promotion, disdain, polite interest, distance, coldness, but also very (too?) great proximity. It is, however, difficult to draw up an exhaustive list of the types of relationship that may be established between a researcher and her/his informants. For example, an apparently harmonious relationship of inquiry may well be based on an implicit disagreement as to the nature of the research and the researcher's role. How does one resolve the ethical dilemma that can ensue when attempts at "reframing" are inconclusive? In this sense, even when the researcher has the best of intentions, these may lead to the suspension of the ethical question. What is the ethnologist to do when her interlocutors do not try to understand the specificity of her position? What is she to do when she knows in advance that, despite many precautions, she will encounter many disappointments and the sense of betrayal that accompanies them? From this standpoint, ethics in ethnographical inquiry is akin to a kind of gamble that the researcher must make but whose success is never guaranteed.

It is ultimately clear that the dissymmetry that sometimes characterises the research relationship does not always work in favour of the researcher. The researcher does not hold all the winning cards; she is not always able to negotiate her position, or the effects it induces. It is nonetheless essential to evaluate its consequences by adopting an "ethical intention."

2.2. Diffusion of data: publication and archiving

2.2.1. Feedback to the interlocutors
As in the fieldwork, respecting and protecting the interlocutors or the researcher are at the heart of the ethical concerns linked to the diffusion of the findings of an ethnological inquiry. Whether in written form or in an oral report, informing one's interlocutors of the use one makes of the material collected is part of the relation of reciprocity constructed in the field. Giving them the opportunity to express a view on the interpretations and conclusions of the research is a supplementary stage in this. The issue is not so much the validation of the interpretations – the ethnologist is not a spokesperson – but rather the effective recognition of the status of actor and interlocutor of the persons encountered in the field. Reflexive and critical attention to these people's reaction to the publication of the findings can, however, be an answer to the demand for testimony – about a situation, living conditions, political demands – often presented to the ethnologist. In some cases, the question of a right of scrutiny, even censorship, for the interlocutors arises, either because it is explicitly granted or from the sensitivity of the topics. A balance then has to be struck between the legitimate protection of persons and the independence of the research. Finally, it is important to limit risky or mistaken use of the research findings, since, once published, the analyses are open to different interpretations.

2.2.2. Confidentiality and anonymity

It is customary to promise informants anonymity in the publication of results. However, ethnographic research is often conducted at local or regional level, in a social context where people know each other well. This situation gives a particular importance to the questions of confidentiality and the anonymisation of interlocutors. On the one hand, simple anonymisation – omitting or changing names – is often not sufficient to mask the identity of the persons behind a quotation or a description. Maintaining genuine anonymity in the publication of findings then requires particular attention and precautions, a "deep" anonymisation. On the other hand, the information collected in interactions in the field sometimes concerns private life. Some remarks made, directly related or not to the research in hand, may concern matters that are confidential for the person who makes them. In a publication, the question of the use of such data – which are often very informative, especially in conjunction with visual data – raises the issue of the status of the ethnologist, which combines the posture of researcher with an embedding in sometimes strong personal relations. In the field, the ambiguity which characterises the relationship with the researcher can sometimes be seen as a betrayal, an abuse of trust. While not always possible, consulting the interlocutors before publication can avoid some difficult situations linked to this relationship. It can happen that some people do not explicitly want to be made anonymous. Such a position does not dispense the ethnologist from reflecting seriously on the possible consequences for these people or him/herself before making such a decision.

2.2.3. Status of the information: personal, collective or semi-public archives

The archiving of research data should make it possible to conserve them and make them available to others for further research. This scientific ambition primarily concerns quantitative data, but the question also arises for qualitative data. For ethnography, it raises fundamental questions regarding the status and nature of the data collected. The unique and unreproducible nature of fieldwork makes it difficult to separate the data – fixed in a written, visual or audiovisual medium – from the ethnographic experience that can re-place them in a complex context which has to be known in order to arrive at a valid interpretation. Making such data reusable by another person would require a prohibitively demanding recontextualisation, unless the concern for transmissibility has been there from the outset and a particular effort made to ensure it. This is true of all material collected by qualitative means, although it arises differently depending on the type of data. Archiving is likely to be more difficult for a handwritten research notebook than for a set of fully transcribed semi-structured interviews or a series of captioned photographs.

Anonymisation of archived data constitutes an essential safeguard for the interlocutors or the researcher. However, it calls into question the notion of informed consent: future uses cannot be foreseen when the research is carried out, and anonymity makes it impossible to go back to the people concerned and consult them.

2.3. Teaching

If the whole research process – from devising a project to publishing the material collected – is fraught with ethical questions which need to be anticipated and weighed up, the same is true of teaching and training activities. Two aspects merit attention: the presentation of ongoing research and the sensitisation of students to ethical questions.

2.3.1. Presentation of ongoing research

When presenting current research work, it is very useful and productive to exchange, compare and analyse different fieldwork situations in methodological, theoretical and pedagogical terms. The context of training – the sense of being among peers, a small, well-defined audience – may nonetheless induce a relaxation of vigilance with regard to data protection, confidentiality or anonymity (the duty of discretion). It therefore seems appropriate to recall certain ethical principles that should be observed in presenting work in seminars or in collective discussions on the progress of fieldwork, and to underscore the place of the duty of confidentiality in thesis supervision.

2.3.2. Sensitising students to ethical questions

We wish to stress the importance of sensitising students to the ethical and deontological dimensions of ethnological work at each stage of their training. It is particularly useful to create the best possible conditions for the conduct of a first field survey by addressing, for example, the way this survey will be presented to the potential interlocutors, identifying the students' ethical concerns and regularly describing the dilemmas that can arise in collecting information. Presenting concrete cases drawn from experience of fieldwork in which the ethical issues are especially sensitive – particularly in medical anthropology – would facilitate this pedagogical task of sensitisation. The question of ethics should be foregrounded in the construction of students' research projects.

It nonetheless remains difficult, in practical terms, to integrate ethical questions into teaching activities, since every research field has its specificities, its own issues and its own dynamics. To overcome this difficulty, it would be useful to collect a series of "case discussions" or concrete situations, presented in detail. Ultimately these case discussions could be published on the SES website for pedagogical purposes.

3. OPENINGS (CONCLUSION)

In this statement, we seek to defend a profession, a status and a scientific method. It should be noted, however, that, beyond academic and independent research, a host of professional activities – with whose interests we are bound up – have recourse to fieldwork, without necessarily identifying themselves as academic research. These activities, whether conducted by people trained in ethnology and working for companies, in public and state institutions, NGOs or international organisations, sustainable development or market research, in intercultural communication or museums, raise the same ethical issues.

ADDITIONAL INFORMATION

As a guide for researchers, we supplement this statement of position with a list of bibliographical references and documents, reflections, statements of ethics, etc., available on the Internet.

Links to ethical codes

› American Anthropologist Association: Code of Ethics, 1998 (with 2009 additions):
  http://www.aaanet.org/issues/policy-advocacy/upload/AAA-Ethics-Code-2009.pdf
  (accessed 01.14.2009)

› American Sociological Association: Code of Ethics (n.d.):
  http://www.asanet.org/cs/root/leftnav/ethics/ethics (accessed 31.03.2009)

› Associação Brasileira de Antropologia: Código de ética do antropólogo, 1986-1988:
  http://www.abant.org.br/index.php?page=3.1 (accessed 19.11.2009)

› Association française de sociologie: Draft charter, 2009 (rejected at GA of April
  2009):
  http://www.afs-socio.fr/formCharte.html (accessed 31.03.2009)

› Association of Social Anthropologists of the UK and Commonwealth: "Ethical
  Guidelines for Good Research Practices", 1999:
  http://www.theasa.org/ethics/guidelines.htm (accessed 19.11.2009)

› Australian Anthropological Society: Code of Ethics, 2003:
  http://www.aas.asn.au/docs/AAS_Code_of_Ethics.pdf (accessed 19.11.2009)

› Council of Europe, Parliamentary Assembly: Resolution 1003 (1993) on the ethics of
  journalism:
  http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta93/ERES1003.htm
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› Deutsche Gesellschaft für Soziologie: Ethik-Kodex, 1992:
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  der DGV, 2007:
  http://www.dgv-tagung2007.de/wp-content/uploads/antrag_a
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  http://www.presse.dgv-net.de/tl_files/presse/ethikerklaerungDGV.pdf (accessed
  31.03.2009)

› Deutsche Gesellschaft für Völkerkunde: Ethikerklärung der AG Medical
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  http://www.agem-ethnomedizin.de/download/cu_04_1_159-60-
  ethikerklaerung.pdf?c309bd31734c35b99e5db58926
  7fd36c=b4aab54f3d3e191522caaa71f0a8e3cd (accessed 19.11.2009)

› European Commission: Seventh Framework Programme, 2007:
  http://www.euresearch.ch/fileadmin/documents/PdfDocuments/FP7Documents/Ethics
  _for_researchers.pdf (accessed 31.03.2009)

› European Commission: Ethics Help Desk for FP7 Projects. Receive advice from the
  Ethics Review Sector of DG Research!, 22.10.09:
  http://www.euresearch.ch/index.php?id=news&tx_ttnews%5Btt_news%5D=2571&tx
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› European Commission Cordis: "Getting Through Ethics Review", 25.09.09:
  http://cordis.europa.eu/fp7/ethics_en.html#ethics_cl (accessed 03.11.2009)

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  éthique concernant la recherche au sein de la Faculté, 1990 (avec modifications de
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  http://www.unige.ch/fapse/recherche/ethique/SSEcode_ethique.pdf (accessed
  31.03.2009)

› International Society of Ethnobiology: ISE Code of Ethics, 2006 (with 2008
  additions):
  http://ise.arts.ubc.ca/global_coalition/ethics.php (accessed 31.03.2009)

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  http://www.isa-sociology.org/about/isa_code_of_ethics.htm

› Société canadienne de sociologie et d'anthropologie: Code d'éthique professionnelle,
  1994:
  http://www.csaa.ca/structure/Code.htm#LA%20SOCI%C3%89T%C3%89%20CANA
  DIENNE%20DE%20SOCIOLOGIE%20 ET%20DANTHROPOLOGIE (accessed
  19.11.2009)

› Société suisse de psychologie: Code déontologique pour les psychologues, 2003:
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  http://www.sfaa.net/sfaaethic.html (accessed 19.11.2009)

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