

Grievance

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future for not ensuring something they cannot ensure?

One particularly complex aspect of such “ambiguous contexts” is diversity within communities where anthropologists conduct research. Not only may it be impossible to determine what is, in the long term, in the best interests of the people with whom we work, we may well not be working with a community with homogeneous, static interests. For example, preserving the safety and dignity of women we work with might require different actions than preserving the privacy and dignity of men in the community. Or, elders may have different needs and goals than young people. This leads to what I think of as the “oppression game”: assessing who is oppressed enough for us to make their ethical needs primary. I object to defining ethics on the basis of oppression. Minimally, if degree of oppression is our key criterion, that should be made explicit.

Hard Choices

I am not arguing that anthropologists never participate in appallingly unethical activities. We may not agree on which cases fall into the category of “appalling,” but they probably do occur. I am proposing that the AAA is faced with hard choices. In this world of finite resources, where are our resources best used? In this world of ambiguous contexts, how can we best work to improve the ethical practice of anthropologists? I argue that a grievance procedure is *not* the best choice here. It will suck up time, energy, creativity, money and, potentially, moral legitimacy that can better go into writing, teaching, debating, training and publicizing the processes of struggling for an ethical anthropology.

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Guiding Principles over Enforceable Standards

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The AAA Code of Ethics is not a code of law, nor can it be with the AAA as a voluntary association whose membership is determined by annual dues. The AAA is neither a credentialing nor licensing organization, and in this respect it differs from many professional associations in the social and behavioral sciences. Franz Boas is the only anthropologist to be formally censured by the AAA, an act that most agree was inappropriate and which was reversed in 2005. Since the AAA abandoned its grievance model in 1998, the only concerted effort to publicly criticize an anthropologist's conduct—the controversy over allegations raised in *Darkness in El Dorado* (2000)—proved to be divisive, and resolutions defending the scientists involved were approved by the general AAA membership. Restoring a grievance procedure is ill-advised. The old adage “to be careful what you wish for” is appropriate in this respect.

After several years of discussion, the AAA Committee on Ethics adopted an educational model for the 1998 code as the preferable way to advance ethics discourse and ethics education in the profession, as outlined elsewhere in this issue by then-committee chair Janet Levy. It remains an unfortunate fact of life that rather than being continually discussed, ethics talk is more often raised in reaction to events and used to debate controversial political issues, such as in the present context. Fundamentally ethics do not, and should not, change with the times, no matter how troubling the times are. As I note in “Anthropology and Ethics in America's Declining Imperial Age,” what we need are sensible and sustainable guiding principles promoting a public moral system for anthropology (*Anthropology Today* 24[4]:19-22).

The development of a set of guiding principles for anthropologists, as opposed to any quasi-legalistic code, would provide a professional framework for individual anthropologists to engage in

a process of *active* decision-making involving appropriate ethical conduct in a given set of circumstances. Guiding principles could not offer comprehensive solutions to every practical problem, but they would enable anthropologists to ask most of the right questions and seek to resolve ethical conflicts in an informed manner. Guiding principles articulated around fundamental concerns regarding harm, openness and informed consent, or public dissemination of research, would thus be rendered more real than theoretical through a process of discussion and debate of their meaning. The use of guiding principles would shift the

nation of results in appropriate channels of communication.

3) Anthropologists must work in transparent environments. If a project or contracted research is not subject to public review, the anthropologist must weigh the consequences of its inherent value as science and assess how it does or does not respect the values of openness, disclosure and dissemination of results. In rare circumstances where transparency might result in harm to the people affected by research, such as the protection of a sacred archaeological site, anthropologists should follow a process of independent consultation with colleagues. A collegial conversation with an independent body of colleagues, such as the Friends of the Committee on Ethics, could assist the anthropologist in determining if the cost of a lack of trans-

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burden of ethical decision-making to the individual anthropologist, best carried out in advance of accepting a job, research contract or academic research sponsored by private, government or non-governmental funding. What follows are initial suggestions for what might be considered, and debated, as guiding principles for anthropological work, adapted in part from *Guiding Principles for Human Rights Field Officers Working in Conflict and Post-Conflict Environments* (2009).

Suggested Principles

1) Anthropologists in all of their actions must ensure that, to the greatest extent possible, they do not cause harm to the people they study, either directly as individual field researchers, or remotely as part of teams conducting action or policy-related research. They must be particularly sensitive to power differentials between researcher and researched and to potential harm to specific vulnerable populations. They must also understand the limits of their ability to prevent, reduce or ameliorate harm.

2) Anthropologists must actively understand and update their practice regarding current standards of informed consent in research affecting humans, including the practical applications of conducting research—direct or remote—with openness, disclosure and dissemi-

parency is justified by the benefit of preventing harm.

4) Anthropologists must understand the agenda, fundamental mission and financial sponsorship of their research or application of anthropological knowledge. This applies equally to employment and contractual work with non-governmental as well as governmental agencies. If they cannot know these basic facts, anthropologists should avoid the work as non-transparent.

5) Anthropologists as professionals must exercise integrity in their work. Unethical conduct results in harm to the profession as well as to the people affected by research. Harm to the profession of anthropology is secondary to harm caused to research populations, but it is nonetheless still harm. Although advocacy is a personal choice and not a professional responsibility, monitoring the effects (positive, neutral and negative) of research or contracted work upon the people studied by anthropologists is a professional duty that enhances the integrity of the professional as well as the profession.

An Educational Model

There are compelling reasons to retain an educational model for the AAA Code of Ethics. First, this reaffirms the core underlying assumption that the code is *meant to be studied*. Although

ethics discussion is not yet deeply rooted in undergraduate and graduate anthropology education, the decade since the 1998 code was approved has seen advancement of this educational mission in some respects. The new prize for texts focusing on ethics education, and the “ethics bowls” where dilemmas are debated by students at archaeology and general anthropology conferences, are notable positive efforts.

Second, an educational model shifts the responsibility for ethical conduct to the individual anthropologist and encourages a process of active consultation because it is not a legalistic statement of dos and don'ts. An educational code of ethics is *meant to be discussed*. The newly formed Friends of the Committee on Ethics was established as an informal, consultative body that will respond to questions brought to it for non-binding, collegial advice on ethical dilemmas. Further, a code of ethics that is publicly studied and discussed underscores a professional responsibility of public education and highlights best practices in current anthropological research. Over time proactive ethics education could produce a public moral system for anthropology that is generally accepted and likewise studied.

Finally, an educational code of ethics requires simple language and an accessible design that is *meant to be used* constructively by professionals. The best codes are composed in clear, succinct language where principles prevail and exceptions to the rules are few and are justified. A usable code is one that can be readily accessed by an anthropologist seeking advice from a professional association that offers guidance for ethical decision-making and, if information sought is not provided, a process of consultation with colleagues. Ethics education is active, not passive, and a code of ethics that is designed to be educational promotes its study, discussion and use by anthropologists in an ever more complex environment of research, application of cultural knowledge, and contemporary professionalism.

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Resources for Developing Cyberethnographic Ethical Guidelines with Your IRB

This month's Knowledge Exchange section features the article “Ethical Considerations for Digital Fieldwork: Cyberethnography and IRBs” by Faith Warner (page 27). The author also contributed a list of online resources that *AN* readers may find useful for moving digital research proposals through the IRB process. This may be of particular interest to anthropologists whose universities or other institutions do not yet have established guidelines for managing online research.



- AAA Code of Ethics (2009)
- AAA Statement on Ethnography and IRBs (2004)
- CUNY Guidelines for Internet Research with Human Subjects
- OHRP Federal Policy for the Protection of Human Subjects
- Association of Internet Researchers Ethics Working Group
- International Journal of Internet Research Ethics
- “Internet Research Raises Unique Ethical Concerns for IRBs” in *IRB Advisor* (March 2008)

See the AAA blog at <http://blog.aaanet.org> for links to these web resources.

Ethics Task Force Update

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The members of the task force to review the AAA Code of Ethics express our sincere appreciation to those who responded to our recent survey about the perceived purpose and usefulness of ethics codes generally, and expectations of the association's code specifically. While we recognize that there were many technical glitches in at least two versions of the survey, and some repetitive questions, most members who responded nevertheless provided very thoughtful and rich answers to our questions. We will be analyzing those responses as we continue our process of ethics code review through the fall, and we hope to have a brief report about the results by the AAA Annual Meeting in December.

Simultaneous with the survey distribution, task force members have been talking with different sections of the AAA as well as with organizations outside the AAA, such as the World Health Organization, the American Medical Association, the American Psychological Association, and the Linguistic Society of America. These organizations have their own unique expe-

riences of fieldwork and practice, and many have also recently engaged their memberships in questions about codes of ethics.

Finally, the task force recognizes that the code of ethics for the association isn't the only resource to guide practice in anthropology and help us identify the ethical implications of that practice. Therefore, in addition to our review of the code, we are working to (1) increase awareness of already existing AAA resources, such as the Friends of the Committee on Ethics; (2) identify additional resources that will be useful in this endeavour, such as the Belmont Report and codes of ethics from other organizations; and (3) solicit from our members de-identified critical incidents in which the code was or wasn't helpful. We plan to post these online with commentary about how to approach such situations in the absence of explicit directives. In addition, we hope to initiate a regularly recurring session at the annual meetings to have a case-based discussion on ethical anthropological practice.

Please see www.aaanet.org/cmtes/ethics for additional information on the ethics code review process, and do not hesitate to contact any member of the task force with questions or concerns. [AM](#)