

Committee on Ethics Annual Report, 2006

to the American Anthropological Association

Anita Spring, Chair, COE

January 2007

Committee on Ethics Responsibilities: (1) Work with the long-range Planning Committee and others to formulate visions and goals for the AAA ethics education and advisory program, consistent with the Association's long-range goals; (2) Continually assess members' ethics education needs and interests; (3) Provide advice to AAA members who are facing/raising ethical dilemmas; (4) Assess progress toward attaining ethics education program vision and goals; (5) Develop policy recommendations for the ethics education program; and (6) With the Ethics Contributing Editor of the *Anthropology News*, develop ideas for the Ethics column and materials for the AAA Ethics Page on the website; (7) Sponsor an ethics-related session at the AAA annual meeting” (as per the charge adopted by the Executive Board)

1. What activities did the Committee or Commission do in relation to your stated Charge as given you by the AAA Executive Board?

1a. Five Year Report

For the 5-year report submitted in March 2006, the chair collected many documents (previous annual reports, website pages, *Anthropology News* (AN) columns, CoE sessions at the AAA annual meetings, cases submitted to the CoE, minutes of meetings, budgets, etc.) and used the opportunity to consolidate them into the main issues as well as to produce lists of AN columns and AAA sessions during the period 2000-2005/6. I worked with all the previous chairs during this time period, as well as with Stacy Lathrop, who has amazing knowledge and understanding of the committee's work. The report therefore serves as the CoE's "corporate memory" for the time period. The content of the report also included information on the CoE's role in the "Darkness in Eldorado" episode (a major ethical dilemma for the AAA), how the CoE issues fit into the Long Term Plan of the AAA, the major cases and issues brought to the committee, CoE initiatives, requests for future activities and budget support.

The response from Alan Goodman, AAA President, was very complementary. He also took the opportunity to respond to the request for the CoE to develop a Handbook on Institutional Review Board processes.

1b. Friends of the CoE" Listserv and Mission Statement

The CoE has been working on creating a database of people whom it can consult on various issue and cases. A Mission Statement was agreed upon (see Annex 1). The mechanism for this would be a listserv that would include elected members of the CoE and its Friends, and others with expertise on ethical topics. The CoE will prepare a description and relevant categories to organize the database. Optimally, it will be searchable by the CoE, but not available to the general public or AAA members. Stacy

Lathrop advised the CoE that the AAA has budgeted money for FY2007 for a redesign of the AAA website and Content Management Software that could assist in these functions. Carolyn Fluehr-Lobban agreed to chair the “Friends of the CoE,” moderate the listserv, and serve as “liaison” between it and the CoE.

1c. Ethical Currents: *Anthropology News* 2006

The CoE contributed to AAA publications in terms of addressing ethical concerns. These included the following Ethical Currents columns for *AN*.

- (a) Ryan M Seidemann, “Authorship Credit and Ethics in Anthropology,” *AN* 47:1, January 2006, p 29.
- (b) Rachel Caspari and Trudy Turner, “The Ethics of Property and Biological Anthropology,” *AN* 47:2, February 2006, pp 27-28.
- (c) Carolyn Fluehr-Lobban, “Ethical Challenges, New and Old In National Security and the Global War on Terror,” *AN* 47:3, March 2006, p 5.

1d. Cases to the CoE

A number of cases came to the CoE and these were solved or referred to the AAA legal council. Many of the current queries to CoE are concerned with the media and the Internet and the rights of subjects who agreed to be interviewed (and perhaps signed informed consents) but who have no idea of electronic and media-oriented venues that give large segments of the world access to privileged and private information. The CoE hopes to research and provide policy advice on this topic (perhaps prepare a briefing paper).

1e. CoE-Sponsored Sessions and Workshops at Annual AAA Meetings 2006

- (a) Debating Anthropological Practice and National Security: Past, Present and Across Borders (Part II) organized by Laura Graham and Kathryn Libal
- (b) Ethical Anthropology: Past, Present and Future organized by Les Sponsel

1f. Response to the Association of Art Museum Directors (AAMD) Report on the Loan of Archaeological and Ancient Artworks

The CoE adopted the following motion:

The Committee on Ethics adopts the Response to the Association of Art Museum Directors Report on the Loan of Archaeological and Ancient Artworks submitted by Art Joyce and Alex Barker and asks that the Archeology Division of the AAA and the AAA Executive Board also adopt this Response. The Committee on Ethics recommends that in adopting the Response the AAA Executive Board confer with the Society for American Archaeology Executive Board in adopting a joint position statement on this issue.

2. What activities are planned for 2007?

2a. Ethics Textbook Award

The CoE’s proposal to have an award for textbooks on ethics (actually a motion to the AAA executive committee) was approved some years ago. At the November 2006 meeting, the CoE organized a subcommittee to develop the guidelines for the award. It

will obtain guidance from the Association's Operations Committee to submit to the AAA Executive Board. The goal is to award the prize to the author of the textbook rather than to the publisher (as in the original motion). There is a concern that there are few books of this sort, that wide publicity is needed for the award, and that publishers must be encouraged to publish such books. The CoE appointed Merrill Singer to chair the subcommittee with Joe Errington, Arthur Joyce, Carolyn Fluehr-Lobban, and Katherine MacKinnon as members.

2b. Ethical Currents AN Contributing Editor

The CoE adopted the following motion at the November 2006 meeting in order to assure a continued supply and hopefully increase the numbers of Ethnical Current columns.

The Committee on Ethics appoints Alex Barker as AN Contributing Editor for the Ethical Currents column. Each member of the Committee will contribute a column or recruit an author to discuss an ethical issue or dilemma.

2c. IRB Handbook

Based on the 5-year report and discussion in the CoE, and in compliance with President Goodman's request, the CoE will oversee this handbook. Members discussed the process to develop a prospectus for it and reviewed submitted suggestions for contents and issues to address. These included: ethnography, vulnerable and minority communities, culture as a factor, ethical dilemmas in applied anthropology, conflicts among multiple IRBs, time delays, unreasonable expectations, written informed consent, exemptions, international research, the composition of IRB membership, and local IRB decision-making..

To facilitate this activity, the CoE (Dena Plemmons and Merrill Singer, as co-coordinators) will sponsor a workshop at the 2007AAA Annual Meeting on practical and key issues, and dilemmas and core debates to a diverse, five-field audience. Annex 2 includes an abstract and topics to be considered. The goal is to generate content for an electronic, easily revised and updated portal on issues and resources in Anthropology and IRBs. A budget for the handbook had been requested in the 5-year report, but the CoE learned that funding is not possible through the AAA. External funding sources, such as Wenner-Gren, will be sought.

2d. Ethics Education Initiative

At the November 2006 meeting, an Ethics Education subcommittee of Dena Plemmons, Katherine MacKinnon and K. Sivaramakrishnan was formed to organize a 2-day meeting on broad-issue conversations and/or conduct an online survey of departments about what resources are needed for ethics education.

The CoE has also formulated the Ethics Education Program that will require several years to execute that requires AAA funding. Part of this program includes ways to measure progress, and along these lines, the CoE is developing "Key Performance Measures" on the numbers of participants at ethics events, ethics courses taught in anthropology departments, text books including discussion of ethics issues, and "hits" to online ethics resources. This is the same proposal that was discussed in the five-year report. (See Annex 3)

2e. Secretive Research

Considering the “Ad Hoc Commission on the Engagement of Anthropology with the US Security & Intelligence Communities” report dealing with “secret” research, CoE members noted that reviewing a draft of the report would be in order, and therefore adopted the following motion:

The Committee on Ethics requests that it be provided an opportunity to comment in a timely manner to the Report of the AAA Ad Hoc Commission on the Engagement of Anthropology With the US Security & Intelligence Communities before the AAA Executive Board takes any final action on it.

2g. Annual AAA Meeting Sessions: the CoE will organize two sessions, one of which will be the IRB Handbook workshop.

2g. Chair Appointment

Alex Barker was appointed as the new Chair of the CoE and Katherine MacKinnon as Chair-Elect.

3. Do you view your Responsibilities and Objectives of you Committee/Commission as having changed?

NO

4. What issues would you like raised or recommendations would you like to make to the Long-Range Planning Committee?

It has been clear from the types of questions that are submitted to the CoE that both AAA members and non-members still do not realize the mandate of the CoE. Some individuals and groups still think that the CoE is a juridical body with adjudication functions. Hence, some make requests for retributions and chastisement of colleagues and supervisors. Since the CoE’s mandate is one of education, there must be a concerted effort on the part of the AAA, not just the CoE to inform the membership and the public of this mandate and CoE functions. This should be carried out in a variety of formats (emails, AN notes/articles, AAA publications and reports, web pages, etc.).

This was also discussed in the Teleconference held in October with CoE members. Joining that conversation was Jonathan Marks, a member of the AAA’s Long Range Planning Committee (LRPC). He was tasked with bringing this issue to the LRPC.

Many of the current queries to CoE are concerned with the media and the Internet and the rights of subjects who agreed to be interviewed (and perhaps signed informed consents) but who have no idea of electronic and media-oriented venues that give large segments of the world access to privileged and private information. The CoE hopes to research and provide policy advice on this topic (perhaps prepare a briefing paper).

5. What issues would you like raised or recommendations would you like to make to the AAA Executive Board?

5a. The COE's mandate is an educational mission and its model is to use explanation and case studies. It does not have adjudication functions and does not adjudicate cases on particular ethical dilemmas. We see this as the CoE's public face and it is vital to ethical issues and needed. However, the message has not gotten out to all of the AAA membership yet, even though this has been the mandate for many years. We know this because the COE continues to receive requests for such types of adjudication. A method must be found to inform members because there are still members who want to vindicate themselves or vilify their colleagues and who want the COE to judge their cases. This takes a lot of the COE members' time to sift through the cases presented and determine what the real situations and facts are. Annual memos to the AAA listserv, notation on the AAA and COE webpages, and mentioned in *AN* would help (other suggestions are welcome).

5b. Annual and 5-year reports have been used by the CoE to raise initiatives that contain budgetary requests, but none seem to be funded. It would be useful for the Executive Board to give guidance and assist in obtaining outside funding from other sources.

Annex 1: Mission Statement of the “Friends of the Committee on Ethics”

Approved by the COE, November 16, 2006.

The Committee on Ethics is a vital part of the work of the AAA. Its elected and *ex-officio* membership is dynamic from year to year and the committee’s chair changes every year. Often newly elected members are recruited to responsible, decision-making roles with little preparation time to aid the CoE in its important and complex mission we propose an auxiliary group, “the Friends of the CoE” comprised of former CoE members whose purpose would be to mentor new Committee members, provide expertise in specific areas pertaining to professional ethics and help provide an institutional memory to the Committee. Utilizing the experience of previous members of the CoE and chairs provides invaluable mentoring and continuity as the committee composition changes year to year. Likewise, the Friends of the CoE promotes an ‘institutional memory’ within the committee such that past discussion, debate, and decisions are made more meaningful, rather than relying upon succinct committee reports that may lack the critical human element.

The Friends of the CoE shall serve as an ad hoc consultative body to the CoE. It will maintain a listserv whose postings will supplement the work of the CoE. The Friends of the CoE supports the work of the Committee on Ethics by volunteering to write new Briefs and reports relating to matters of professional ethics.

‘Friends’ may volunteer their expertise in one or more of the following areas (list is meant to be suggestive rather than comprehensive), such as: Institutional Review Boards; informed consent; confidentiality; Native American Graves Protection Act (NAGPRA); property: cultural, intellectual, biological; client-based research; working with defense and national security agencies; research with non-human animals, etc.

‘Friends’ may serve as irregular consultants, information and resource providers, as promoters of the CoE larger mission of ethics education, or any other role that the sitting Committee on Ethics through its chair may request.

The Friends of the CoE shall consist of volunteers who have served previously on the CoE and as a voluntary organization with active ties to the CoE.

Annex 2 IRB Handbook: Anthropology, Human Research Protections and IRBs

Abstract

This workshop addresses several key issues encountered in the relationship between anthropological researchers and their home institutions Institutional Review Boards (IRBs). The workshop was developed as part of the mission of the Committee on Ethics (CoE) to provide ongoing education in ethical issues for AAA members. Specifically, the workshop will develop ideas and approaches useful to anthropologists submitting proposals for ethical review or otherwise addressing human subject issues in research (e.g., in teaching). The session is organized around five themes that have emerged from the experience of anthropologists in recent years: 1) dealing with IRB expectations that appear to go beyond evident human subject concerns and into issues of scientific merit and research methods; 2) responding to IRB concerns about potential future risks involving anthropological data and relationships; 3) finding that IRBs do not seem to understand iterative methods, exploratory approaches, and action research models; 4) handling IRB issues concerning research involving other cultures, non-Western values, and varying local standards (e.g., culturally meaningful informed consent, suitable incentives, local understandings of risk); and 5) when there is no anthropologist: getting anthropologists on IRBs. Workshop panelists, including both anthropologists and non-anthropologists with experience in IRB procedures, will present cases involving issues in need of consideration when presenting proposals to an IRB as well as suggested approaches for facilitating IRB review of anthropological applications. Additionally, the panel will discuss problems that arise when the anthropological voice is not heard in the IRB process and ways to increase anthropological representation and/or input to IRBs.

IRB handbook suggestions

1. Special ethical challenges of the ethnographic research relationship, blurring of researcher/participant boundaries, extra-research features of such relationships (e.g. gift giving, aid-giving, fictive kinship)
2. Working ethnographically with vulnerable and politically subordinate populations and the issue of the boundaries of researcher responsibility (what to do with knowledge of harm and risk).
3. Culture (and cross cultural differences) as a factor in the understanding issues like justice in research
4. Ethical dilemmas of applied anthropology (including those that come up because of employer dictates)
5. Dealing with conflicts among multiple IRBs (e.g. common in Native American research or any collaborative research)
6. Getting anthropologists on IRB committees
7. Dealing with time delays caused by IRB review
8. Unreasonable IRB expectations and what to do about them.

Annex 3 Ethics Education Project Proposal (2006 – 2010)

Supports LRP Objective # IV: The AAA will foster the discussion and dissemination of ethical principles and ethical issues relating to anthropological research, teaching and practice.

Primary Responsibility: Committee on Ethics

Statement of Initiative:

By the end of 2007, the AAA will provide and maintain accessible resources for the teaching and practice of ethics in anthropology.

Project Description:

This initiative by the CoE is designed to (1) evaluate current resources and needs for the teaching and practice of ethics in anthropology; (2) develop effective ethics education resources for AAA members and anthropology departments; (3) maintain and update these resources as needed.

Anticipated Results/Benefits:

As a result of this initiative the CoE will develop and conduct a series of surveys of anthropology text book publishers, anthropology departments and members about current resources and needs in ethics education. In addition to this research, the Committee on Ethics will interview publishers and other associations and organizations about their ethics programs and resources; their materials will also be reviewed.

Based on this research, the CoE will develop an effective series of events and resources for the teaching and practice of ethics. These resources will be made readily available to teachers, practicing anthropologists, and students via organized events and print and online materials. Anticipated resources include a collection of syllabi and a bibliography of sources for the teaching of ethics in anthropology; case studies in the form of discussions of relevant ethical dilemmas; policy papers on topical issues in ethics; events on issues in ethics pertinent to anthropology; a collection of links to related and important sites; an online questions box/email for Q & A to ethics inquiries; moderated interactive online forums on issues in ethics and as a democratic means to provide comment in the development of ethics guidelines and policies in anthropology.

Key Performance Measures:(NOTE: specific quantitative targets for each year will be provided)

- Number of participants at ethics events
- Increase in number of ethics courses taught in anthropology departments
- Increase in number of text books including discussion of ethics issues
- Number of hits to online ethics resources
- Number of citations of ethics resources

Financial Projections \$8,358 for the total project is projected (see spreadsheet); future sources of income and project expenses will be refined after the research stage.

Anticipated Source of Funds: AAA, 2006 seek outside funds to integrate ethics materials as part of AnthroSource for incorporation in the portal in 2007.

Anticipated Time Commitment, per year (2006 – 2010)

- **Staff**
 - Stacy Lathrop
 - Lorie Van Olst (website)
 - Susi Skomal (AnthroSource)
 - Kathleen Terry-Sharp (questions in dept survey)

- **Other Resources**
 - CoE
 - DSP Members