



The Qualitative Report

Volume 25 | Number 13

Article 3

12-4-2020

Practicing Ethics and Ethics Praxis


Martin Tolich

Otago University, martin.tolich@otago.ac.nz

Emma Tumilty

Deakin University, emma.tumilty@deakin.edu.au

Follow this and additional works at: <https://nsuworks.nova.edu/tqr>

 Part of the [Quantitative, Qualitative, Comparative, and Historical Methodologies Commons](#), and the [Social Statistics Commons](#)

Recommended APA Citation

Tolich, M., & Tumilty, E. (2020). Practicing Ethics and Ethics Praxis. *The Qualitative Report*, 25(13), 16-30.
<https://doi.org/10.46743/2160-3715/2020.4753>

This Article is brought to you for free and open access by the The Qualitative Report at NSUWorks. It has been accepted for inclusion in The Qualitative Report by an authorized administrator of NSUWorks. For more information, please contact nsuworks@nova.edu.



Practicing Ethics and Ethics Praxis

Abstract

Purpose - This paper demonstrates the limited efficacy procedural ethics has for qualitative research. Ethics committee's instructions have a short shelf life given the research question qualitative researchers create is volatile; that is, likely to change due to the inductive, emergent, informant-led nature of qualitative research. **Design** - This article draws on extensive literature to examine the void between the original research design and the messy reality experienced in the field. We focus on how researchers can practice ethically by recognizing the need for agile and responsive ethics praxis in their work. **Findings** - This practice describes the researcher, recognizing the initial support from an ethics committee and its limitations, but as the research gets underway assuming full responsibility for ethical considerations that emerge in the field. **Practical implications** - Researchers' responsibilities entail recognizing the dual faces of confidentiality; distinguishing external confidentiality from internal confidentiality. Other responsibilities in post procedural ethics include recognizing and addressing what Guillemin and Gillam label big ethical moments and addressing these in different ways. **Originality/value** - At times, participants and researchers' ethical protections are insufficient to deal with the unforeseen, requiring on the spot ethical reasoning and decision-making. Being prepared for and capable of ethics praxis is therefore crucial. Researchers should also assume they may find themselves at personal risk (physically, emotionally, reputationally) and in anticipation of that they should create a safety plan. Most importantly, the changeable nature of practicing ethical research requires researchers to establish a reference group that can provide impartial advice and guidance enhancing the ethical practice.

Keywords

Internal Confidentiality, Process Consent, Anonymity, Reference Groups

Creative Commons License



This work is licensed under a [Creative Commons Attribution-NonCommercial-Share Alike 4.0 International License](https://creativecommons.org/licenses/by-nc-sa/4.0/).

Acknowledgements

An earlier version of this paper was presented at the 4th World Conference on Qualitative Research (WCQR2019) in Oporto, Portugal, October 16th to 18th 2019. <https://2019.wcqr.info/world-conference-on-qualitative-research/>

Practicing Ethics and Ethics Praxis

Martin Tolich

University of Otago, New Zealand

Emma Tumilty

Deakin University, Australia

Abstract

Purpose - This paper demonstrates the limited efficacy procedural ethics has for qualitative research. Ethics committee's instructions have a short shelf life given the research question qualitative researchers create is volatile; that is, likely to change due to the inductive, emergent, informant-led nature of qualitative research. **Design** - This article draws on extensive literature to examine the void between the original research design and the messy reality experienced in the field. We focus on how researchers can practice ethically by recognizing the need for agile and responsive ethics praxis in their work. **Findings** - This practice describes the researcher, recognizing the initial support from an ethics committee and its limitations, but as the research gets underway assuming full responsibility for ethical considerations that emerge in the field. **Practical implications** - Researchers' responsibilities entail recognising the dual faces of confidentiality; distinguishing external confidentiality from internal confidentiality. Other responsibilities in post procedural ethics include recognising and addressing what Guillemin and Gillam label big ethical moments and addressing these in different ways. **Originality/value** - At times, participants and researchers' ethical protections are insufficient to deal with the unforeseen, requiring on the spot ethical reasoning and decision-making. Being prepared for and capable of ethics praxis is therefore crucial. Researchers should also assume they may find themselves at personal risk (physically, emotionally, reputationally) and in anticipation of that they should create a safety plan. Most importantly, the changeable nature of practicing ethical research requires researchers to establish a reference group that can provide impartial advice and guidance enhancing the ethical practice.

Keywords: Internal Confidentiality, Process Consent, Anonymity, Reference Groups

Introduction

Praxis: the exercise or practice of an art or skill

Formal ethics review is one stop along the way of practising ethics in qualitative research. It begins when establishing relationships and designing a project and ends with dissemination. Practicing ethics then involves not only thoughtful planning, but also thoughtful action when encountering participants and communities in the field. Formal ethics review is a useful stop along the way but is limited in what it can provide and how it can protect both participants and researchers. It asks people to say what they will do, as if the researcher can know exactly what will happen. This expectation might be the case for a quantitative project

where questions are predetermined and variables controlled to maximise the research's generalisability. But in a qualitative context where the work is iterative and responsive such foresight will always be limited. What this then requires of a qualitative researcher for ethical practice is a degree of agility; the ability to make plans to address ethical considerations that have some "give" in them. This ethical practice must be flexible, designed to deal with uncertainty and the unforeseen without comprising ethical duties. The goal of this article is to investigate the nuances of qualitative research that warrant further discussion when considering ethical practice. This discussion takes us some way beyond formal ethics review.

Ethics review committees only pose speculative questions for qualitative researchers. They can ask researchers to (1) describe their research, (2) outline the ethical issues that will arise in this research and (3) how the researcher will address those ethical issues (Tolich & Fitzgerald, 2006). Formal ethics review cannot ask the fourth and most important question; what will the researcher do when their project's emergent research question transforms, making consent and confidentiality assurances take on an altered, less robust, character (Tolich & Fitzgerald, 2006). Not only do formal ethics committees not ask this question, a researcher cannot predict with any certainty how their iterative research will change in the field, affecting how consent and confidentiality assurances are ethically practiced.

We examine how to approach this uncharted territory by having researchers take full responsibility for their ethical praxis by using more robust forms of consent like process consent (also known as dynamic consent); and recognising the dual faces of confidentiality, distinguishing external confidentiality from internal confidentiality (Tolich, 2004) or deductive disclosure (Kaiser, 2009).

Other researcher responsibilities in this post ethics review environment include recognising and addressing big ethical moments (Guillemin & Gillam, 2004). At times, participants and researchers' ethical protections disintegrate, too. When participants are at risk, recognizing the limitations of the researcher's role and connecting participants to others (i.e., social agencies) is important. When researchers are the ones at risk, work off a safety plan; a plan created in advance considering uncertainty and what might be needed. Additionally, given this unpredictability, researchers should create a standing reference group to assist answering the fourth question above; what to do when the project raises ethical questions not foreseen in formal ethics review or by the researcher.

Conceptualising the strengths and weaknesses in qualitative research ethics involves reframing notions of the primacy of the method. In quantitative research, the linear research instrument (the questionnaire) holds the primacy of the method. Once established this research instrument does not change. In mixed methods, primacy is the dictatorship of the research question (Tashakkori & Teddlie, 2003.) In qualitative research, the researcher embodies this primacy simultaneously collecting and analysing data. Here, we accept this definition but enlarge primacy to include the ethical responsibilities a qualitative researcher must take on to address the issue raised by the fourth question above: a shifting research question, and therefore ethical, landscape.

Qualitative researchers are not only accountable for the data collection and analysis, they are also solely responsible for praxis; the exercise of ethics is an art or a skill that is fundamental to qualitative research. Two of these fundamentals are consent and confidentiality.

While both concepts are robust in theory – what we believe should be addressed in good ethical research; they are also fragile in how they play out in real world contexts. Qualitative researchers' promises that all recorded conversations are confidential is disingenuous. These conversations are always subject to discovery. This discovery can be both explicit, a third party accessing files and implicit, the deduction of someone's identity through de-identified material.

Consent too has limits; what a researcher tells informants in a focus group or an unstructured interview about the nature of the research can change during the data collection

as the researcher inductively asserts their primacy over the method, prompting questions outside the scope of the previous consent. In these cases, consent is malleable. What is not malleable is the qualitative researcher's obligation to protect those that volunteer to take part in their research. If, and when confidentiality and informed consent disintegrate there are steps the researcher must take to practice their art.

Background

Quantitative researchers' using a questionnaire tie two sound ethical assurances to the research instrument. Prior to filling in a questionnaire a respondent reads "filling in this questionnaire implies your informed consent." The information provided at the beginning of a survey, equivalent to the text provided in a participant information sheet, also tells them that the information they supply is anonymous. Essentially, when the respondent submits their completed (or uncompleted) questionnaire this person's identity becomes irretrievable what information they shared unidentifiable. This definition of anonymity is central to comprehending the frailties of qualitative research ethics. The definition of anonymity offered to a respondent should not be seen as an academic definition, but one found in everyday discourse and in a dictionary (Concise Oxford, 1982).

anonymous a. of unknown name; of unknown or undeclared source of authorship; impersonal; adv. Anonymity nameless. (p. 35)

The ethics contained within the primacy of the method in survey research are watertight. A test of anonymity would be if a respondent had second thoughts about taking part in the research and wanted to withdraw after they submitted their questionnaire. They could not. Neither the researcher nor the respondent could identify their particular questionnaire to permit extraction. Plus, there is no signed consent form to record the respondent's participation. The relationship between the respondent filling in the questionnaire and the researcher is short-lived. It does not matter if the researcher knows the identity of the persons who took part in the survey, as once the questionnaire is submitted the researcher does not know how any individual person responded to the survey questions. This is why it is also important to make this clear to participants in the information provided at the beginning of the survey. By explaining that responses cannot be removed after the fact, it not only makes clear to a potential participant when or what they can (or in this case cannot) withdraw, but re-emphasizes the anonymity of their responses.

Anonymity assurances have caveats; it assumes the data collection instrument acquires no unique identifiers such as the respondent's name, social security number, or driver's license number (Sieber & Tolich, 2013). If the survey sample size is small in numbers or based on a region or an occupational demographic, questions can threaten to expose the identity of respondents and disclosure of their data. For example, a questionnaire asking military personnel to provide their rank, gender, or theatres of war served may identify the very few women in the military's upper echelons. This can occur for individual elements of a survey depending on how particular a question is in relation to its target population, but more frequently occurs for the full data set, that is when particular elements are combined (gender and rank for example). If, however, these caveats are controlled the dictionary definition of anonymity above is assured by the ephemeral consent process. Qualitative researchers do not

have a similar ephemeral consent process. Their consent process is long lasting creating unique ongoing ethical considerations for the researcher¹.

Qualitative researchers ask their informant (as opposed to a respondent) to reveal their identity by signing a consent form actively demonstrating their willingness to accept the ethical provisions offered by the researcher. Anonymity is not a valid provision in this context, as at least one other person, the researcher, knows the person's identity and what the person said. This knowledge can never be unknown or anonymised and offering this ethical surety is ethically flawed and methodologically clumsy. A historic example illustrates the nuance of this embedded relationship. The following excerpt taken from an informant decades ago, as part of Tolich's previous research (Tolich, 1993), continues to resonate audibly. This supermarket clerk tells her story:

My job involves checking out customers. Talking with them. I know most of the ladies, and a few of my men come through. This is on the morning shift, and I know most of their personal habits. I know how they like their water bagged. We have an old people's home near us. (p. 371)

The fact that Tolich can still hear the voice of this woman when he silently reads the quote means that this data is not of an unknown source and never can be as he will always know who said this quote and for the past 26 years this woman's quote has remained confidential. This was the assurance given to this supermarket clerk at the time, and this assurance still stands.

Limits of Confidentiality

On first reading, the definition of confidentiality is simple: it refers both to the identity of the person and the information disclosed. The researcher knows the name of the person who said the quote and promises not to tell other people the identity of the person when reporting this information. This supermarket clerk cannot be anonymised yet common definitions of anonymity by qualitative researchers exacerbate misunderstanding with imprecision.

The British Sociological Association Statement of Ethical Practice conflates confidentiality and anonymity by using "and" when they could have used "or." Guideline 18 states:

Research participants should understand how far they will be afforded anonymity and confidentiality...

Scott (2005) also conflates anonymity - "Anonymity is a continuum (from fully anonymous to very nearly identifiable)" (p. 249). What Scott means is that anonymity need not be total concealment but this ethical assurance has the potential to harm informants. Saunders et al.

¹ By controlled we mean, that the raw survey data has controlled access and that reporting of the research is sensitive to potential issues of identification when reporting specific elements in isolation or particular elements together. To be very clear, potential re-identification does not even need to be accurate to be ethically fraught. Consider, using our earlier example, if there were three high-ranking women officers, and a survey connected gender to specific answers. Maybe only one woman officer answered the survey. People will now speculate which of three officers provided the answers connected to gender. They may be wrong or right in their speculations; regardless of whether they are or not this is ethically problematic. This is why if responses for a particular kind of question (generally demographic) are too low they should not be reported both for ethical and scientific reasons. Assurances of such practices should be made clear in the consent language included before the questionnaire allowing participants in this brief "conversation" with the researcher before embarking on the study, to understand what they may or may not be willing to do.

(2015) claim “anonymity” has commonly been used either interchangeably with, or conflated, with “confidentiality.” They conflate the known and unknown stating “anonymity is one form of confidentiality-- that of keeping participants’ identities secret.” The essence of this confusion is separating the identity of the person and information they shared. The problem is that the person’s identity and any statement the person makes cannot be separated.

Qualitative data can be de-identified by redacting names and context, but it cannot be anonymised. The researcher will always know the source of de-identified data. At no time should a qualitative researcher promise participants anonymity. The term anonymity must be used in its dictionary sense when discussing consent with participants to collect qualitative data as that is their comprehension. In other words, there are limits to confidentiality. These are also exposed by the threat posed by a subpoena (Palys & Lowman, 2016). Subpoena and other forms of discovery (such as accidental file access, etc.) are rare but possible and can pose different degrees of threat at different times during a research study.

De-identification practices proceed in different ways for different studies. In general, there are two ways that material is de-identified. On the one hand, participants are assigned code names. This is generally held in a Master list during the study data collection period which is only accessible by the fewest people possible in the team for general administration and management of the study. This connection between a participant and their data is not broken (i.e., Master list destroyed) until a transcript is considered complete. For some studies this will be after it has been typed up. For others this will be after the participant has had the opportunity to review the transcript and send it back to be included in analysis. This is methodology dependent.

The other process of de-identification that may occur is the redaction or substitution of identifying information in the text with code words. These things occur at different points in time during a research project. The ability to secure confidentiality then, grows over the duration of the project, as more safeguards are put in place and the ability to reverse them is removed, but fully secure confidentiality may still be an illusion. The take home message is then, anonymity is not confidentiality, and confidentiality has limits.

Clarity of ethical concepts is essential; failure to do so potentially puts qualitative research participants in harm’s way. Researchers cannot offer participants ethical assurances of both confidentiality and anonymity interchangeably; as if the double assurance were better than one. It is not; the concepts of anonymity and confidentiality are mutually exclusive.

Confidentiality is an essential qualitative research ethics assurance. Anonymity is not. Confidentiality should be thought of like an iceberg; only the tip is known but what lurks unseen, below the surface is also a source of potential harm. The easily identified aspect of confidentiality, the tip above the surface is external confidentiality (Tolich, 2004). It is well known to researchers and found in any ethical code. External confidentiality is traditional confidentiality where the researcher acknowledges they know what the person said but promises not to identify them in the final report. The less apparent aspect of confidentiality is internal confidentiality (Tolich, 2004) or deductive disclosure (Kaiser, 2009). The threat of internal confidentiality is the ability for research participants involved in a single study to identify each other in the final publication of the research. Internal confidentiality is the part of the iceberg that lies below the surface, going unacknowledged in ethical codes or formal ethical review processes. If a researcher interviews family members, fellow workers, or a member of their small town, the threat to confidentiality is sourced not by strangers (i.e., external confidentiality) but fellow residents/ occupants/ workers. Each of these can identify themselves and by default others.

This is analogous to the example used earlier with the questionnaire with the military personnel but much more complex to address. It is complicated in two specific ways. On the one hand knowing what might make someone identifiable in a quote may be less obvious.

There are things that might be straightforward, if for example we go back to our military example, when interviewing officers, a participant might mention having been stationed somewhere, that would make them identifiable. Redacting such information as described above is straightforward and maintains the participant's confidentiality without compromising the research project. It may however also be the case that a participant has a particular tone, turn of phrase, or opinion that is well known. This would be something less obvious to a researcher, but could compromise the confidentiality of the participant.

The second way that this practice is complicated is when the research itself rests on the topic. That is, extending this same example, if a woman officer described something of importance for the research, but the very nature of its importance hangs on the difference in her experience as a woman officer, then this presents difficulties for a researcher. To be clear all information can be included in analysis, but what we select in terms of quotes to support the reporting of work plays an important role in how that work is received and considered robust. Making sure researchers understand how to do that well, or if it is at all possible (as we will see in some examples below), so that we can be frank with our participants in our consent discussions is important. What is clear is that internal confidentiality is predictable and when overlooked it has the potential to generate what Guillemin and Gillam (2004) call big ethical moments.

Big Ethical Moments

Big ethical moments are those moments in a research project that come with what is proverbially called a heartsink feeling. That is, a moment in which one recognizes an ethically salient phenomena that one has either inadequately or completely failed to address in one's project design and now is a problem, or was unpredicted and now must be addressed in the immediacy of the issue. Guillemin and Gillam (2004) described a big ethical moment that could not have been predicated, what follows below are examples of big ethical moments that were predictable but unaddressed.

Historical exemplars of big ethical moments generated by breaches of internal confidentiality are common in the qualitative sociology and anthropology and routinely sourced to a naive belief that pseudonyms provide robust ethical assurances. They do not. Street Corner Society, William Whyte's (1981) seminal text, is a case in point. In Whyte's original text, he gave pseudonyms to the region (Cornerville) and its inhabitants (e.g., "Doc"), thus protecting them with external confidentiality. The appendix of his 1981 edition, captures the everyday world of doing ethnographic study, but also provides an insight into the harm caused by breaches of internal confidentiality. Participants told Whyte about how insiders recognized themselves and other insiders in the text:

Pecci (Doc) did everything he could to discourage local reading of the book for the possible embarrassment it might cause a number of individuals, including himself. (p. 347)

Despite promises of external confidentiality, when Whyte's participants read the book, they saw themselves and those close to them.

Solutions to problems posed by internal confidentiality often suggest anonymizing participants by using pseudonyms. Yet at no time can qualitative researchers conjure the known to be unknown as Wiles (2012) suggests:

The primary way that researchers seek to protect research participants from the accidental breaking of confidentiality is through the process of anonymization, which occurs through the use of pseudonyms. (p. 50)

As before there is here a conflation of anonymization and de-identification (done to uphold confidentiality). Pseudonyms are a short-sighted solution causing exponential harm. Relational persons take great delight in breaking the code. In an anthropological study in a rural United States town a researcher caused anger and dissension among those whom they studied when residents broke the code. Munchmore (2002) reports:

When the [anthropology] book was published, many townspeople were highly disturbed to see some of the most intimate details of their lives recorded in print. Even though the author had attempted to protect his informants by using pseudonyms, their true identities were easily recognizable to anyone familiar with the area. Fifteen years later, another anthropologist who visited the town was surprised to discover that the local library's copy of the book had the real names of all the individuals pencilled in next to their pseudonyms. Even after all those years, some of the community members were still visibly upset about the ways in which they had been portrayed. (p. 13)

The Munchmore example can be understood in two ways. Either the researcher was naïve to the concept of internal confidentiality, or naïve to the ways in which participants might be able to identify themselves. The former is easily rectified, the latter requires more complex strategies.

In Carolyn Ellis' (1986, 1995) "Emotional and Ethical Quagmires in Returning to the Field," she presents an account of dealing with her own pain when she realizes the distress her study of Fisher Folk, a study of a Chesapeake fishing community, has caused her informants. In returning to the fishing village Ellis discovered the illiterate research participants had had the book read to them by another researcher. The residents were outraged.

The pseudonyms used to secure confidentiality had failed to work and key informants felt they could identify themselves and others in the text. Ellis reports the residents felt the book had made them look stupid. Ellis' strategy of inventing pseudonyms was basic, starting with the same letters as the double names of the Fishnecker and having other similarities in sound. This made it easy to keep names straight, but at the cost of making it convenient for Fishnecker to figure out the characters in her story.

Vidich and Bensman's (1968) book, *Small Town in Mass Society: Class, Power and Religion in a Rural Community*, used pseudonyms for some of 3000 inhabitants of a town they called Springdale. The town's response to this invasion of privacy was an uprising. Writing an editorial in *Human Organisation*, William Foote Whyte (1958) cited a "Springdale" newspaper account of the episode:

The people of the village (Springdale) waited quite a while to get even with Art Vidich, who wrote a Peyton Place type book about their town recently. The featured float of the annual Fourth of July parade followed an authentic copy of the jacket of the book, *Small Town in Mass Society*, done large scale by Mrs Beverly Robinson. Following the book cover came residents of (Springdale) riding masked in cars labelled with fictitious names given them in the book. But the payoff was the final scene, a manure spreader filled with very rich barnyard fertiliser, over which was bending an effigy of "The Author." (cited in Sieber, 1982, p. 81)

Scheper-Hughes' (1979, 2000) experience in an Irish village was not dissimilar to Vidich or Ellis. Eventually she was run out of town. When she returned to the site of her 1979 study of the mental health in an isolated Irish village, she found villagers had deciphered her attempts to provide pseudonyms as ethical assurances. She described her use of pseudonyms as ineffective:

I would be inclined to avoid the “cute” and “conventional” use of pseudonyms. Nor would I attempt to scramble certain identifying features of the individuals portrayed on the naive assumption that these masks and disguises could not be rather easily de-coded by villagers themselves. (p. 128)

These cannon of stories shows how researchers like Whyte, Ellis, Vidich, and Scheper-Hughes made their informants vulnerable to harm by failing to grasp the ever present threat posed by internal confidentiality. For researchers this represents an ethical own goal. This big ethical moment presents itself not at the origins of the research but within a project's dissemination of results. What is tragic is how each of these cases of harm was avoidable if recognising how qualitative research ethics protections can disintegrate. When they do, the researcher remains responsible for protecting participants but others, including participants and a reference group (which can be created at project begin) can share this responsibility while the researcher is out of earshot of the ethics committee.

Reference groups

Creating a reference group is one solution to shoring up ethical assurances. This could be a group made up of supervisors, colleagues and in the case of graduate students, fellow graduate students (Pollard, 2009). The reference group members should not be involved in the project ideally, or at least some members, if not all. The role of the reference group is to provide dispassionate advice for the researcher, to think outside the box. Edwards and Weller (2016) created a reference group prior to conducting longitudinal interviews with rural youth. They made use of their reference group when a big ethical moment developed; one of their informants passed away at age 17 after having previously taken part in interviews at age 11 and 14. They tasked the reference group with giving advice on what interview recordings or transcripts they could share with the deceased boy's family, especially the boy's grieving mother given what had been explained to the boy about his confidentiality in the assent process.

A reference group is bedrock to ethics praxis. For example, consider yourself part of a hypothetical reference group charged with giving advice to a researcher whose big ethical moment with confidentiality dilemmas is causing loss of sleep. Drawing on advice given above in this article about the limits of anonymity, what advice would the reader give? The researcher (cited in Macfarlane, 2010) said:

I'm doing multi-site case study research, in a small number of institutions in a small country where the number of such institutions is relatively small. In spite of my best efforts to anonymize my sites, projects and respondents (using aliases, codes, and general role descriptors) any informed reader would have little difficulty identifying the sites, even the individual respondents. Deductive disclosure is a real concern. *I'm assured by others that these people, given their professional roles are not naïve and have verified their transcript in full knowledge of my intention to cite or quote them.* I'm not so sure, however, if they fully comprehend the potential consequences, especially as multiple and often conflicting perspectives are offered by different respondents-- for example

at different levels of seniority within one site. Maybe I'm being oversensitive. As a consequence I have decided that each individual respondents will verify (and amend if necessary) their own transcript. It seems neither feasible nor desirable to give them, collectively, the opportunity to review (or verify or otherwise) the case study report. In an ideal world, I might have considered getting all of them around the table to hear their response to my report-- my interpretation of "what is going on here." But I believe that some respondents have offered certain insights on the tacit) understanding that they would be "kind of confidential." I believe that while they expect to be cited/ quoted anonymously they do not expect to have their contributions shared with others, as would be the case when contributors read a single case study report. So I'm trying to devise a strategy of writing minimalist case study vignettes (for the body of the thesis) and presenting confidential extended case study appendices for the examiners, with the more readily identifiable details. It is certainly not ideal. I have merely deferred, however, dealing with the more fundamental issue at stake. How to report case study research (which draws on multiple perspectives) without betraying the implicit expectation of "confidentiality." I'm reluctant to rock the boat by exploring into much detail, unless asked, what they actually understand by anonymity. I've spelt it out in writing, and they seem to realise what they are signing up to. Still keeps me awake at night though! (pp. 64-66, *authors' emphasis*)

Tolich has used this example with graduate students as if they were a reference group. Their consensus suggests *what keeps this researcher up at night* is seeking ethical solutions with the unworkable concept of anonymity. For example, the researcher's reference group highlighted above in italics failed to grasp how qualitative research ethics had disintegrated under the threat of internal confidentiality or deductive disclosure. The researcher's reference group did not refocus attention away from anonymity to the need to practice forms of ongoing consent.

I'm assured by others that these people, given their professional roles are not naïve and have verified their transcript in full knowledge of my intention to cite or quote them.

Confidentiality and anonymity were the wrong options. Nothing this researcher could do could make the known unknown. It was too late to put the genie back in the bottle. This researcher and their reference group needed to find alternative ethical solutions. What the researcher should have been doing was utilising ethics praxis by adapting to the big ethical moment they faced. They should have presented informants with a form of ongoing consent, known as process consent (also sometimes called dynamic consent), not for additional confidentiality assurances.

Clandinin and Connelly's (2000) ethics guidelines widely cited in the qualitative research literature claim ethical considerations can and must be negotiated throughout the research process. Process consent (Ellis, 2007) is the most common definition of this negotiation. It is an active form of consent and it takes the participant's right to withdraw beyond a passive construction. Rather than leaving it up to the participant to withdraw at any time the researcher can repeatedly invite the participant to volunteer to be part of each phase of the project. Without process consent the right of a participant to withdraw from the research project initially written in the consent form, appears to be written in disappearing ink. Narrative research is a case in point.

The narrative researcher Ruth Josselson (1996) astutely labels the informed consent process “a bit oxymoronic, given that participants can, at the outset, have only the vaguest idea of what they might be consenting to” (p. xii). With some candour, Josselson (2007) says process consent “strikes terror into researchers because it means just what it says” (p. 543). The researcher could have been losing sleep because offering process consent meant potentially losing the data. The researcher must bear this risk.

Explicitly offering informants’ process consent *in the loss of sleep scenario* above would have been best practice. It would have expanded participant autonomy. The participant, not the researcher, then decides whether they want to remain in the research or not. In other words, confidentiality ethical assurances had disintegrated to such an extent that the researcher felt they had no ethical assurances they could give the participant. This situation is not unusual in qualitative research and it is remedial. This set of circumstances routinely happens in focus group research where research participants must be made aware of the need to take responsibility for their own safety; this may entail them withdrawing from the study even though it strikes terror into researchers.

Do focus groups have ethics?

Focus groups offer participants few ethical assurances (Morgan, 1998). Focus group researchers cannot offer participants internal confidentiality because it is outside of their control: researchers can place few restrictions on focus group members. Researchers hold no ethical sanction over a participant should they reveal outside the focus group what was disclosed by another focus group member. Thus, promises of confidentiality must be limited to external confidentiality: that is, that the researcher will not identify any participant or what they said in any publication. If focus group participants are known to each other, for example if they are drawn from within the same organization, internal confidentiality is especially problematic, setting up particular ethical issues for the limits of confidentiality. Expect anything said in the focus group to be gossiped outside the focus group.

Focus groups pose more substantial ethical problems than one-on-one interviews. A participant in a one-on-one interview has opportunities to withdraw a remark during the interview or sometimes, if the participant reads an interview transcript, they can delete the remark during process consent. In focus groups verbal statements cannot be taken back. The bell, once rung, cannot be unrung. Thus, to use the word confidentiality without clarification may be taken as offering a layperson more than the concept can deliver. A warning in the participant information sheet could read:

Please note there are limits on confidentiality as there are no formal sanctions on other group participants from disclosing your involvement, identity or what you say to others in the focus group. There are risks in taking part in focus group research and taking part assumes that you are willing to assume those risks. (Tolich, 2009, p. 107)

Process consent

To summarise this situation the researcher *who lost sleep above* chose the wrong ethics option as confidentiality assurances had disintegrated. When the researcher was asking participants for their approval to publish the material, he or she were not using the correct ethical assurance. This was not anonymity or confidentiality it was consent. What the researcher should have been doing was asking each participant if they still wanted to take part in the research. In other words, rather than relying on the previous informed consent process,

which at the beginning of the project could not describe accurately what would be at stake at the end of the project, they should have used process consent. This would have caused her fewer sleepless nights. But it would put the research at risk. This exposes a conflict of interest. The rights of participants versus the rights of the researcher.

While focus group researchers may offer participants ethical assurances such as confidentiality through informed consent these assurances are unenforceable. The principle of caveat emptor (let the buyer beware; Tolich, 2009) may be a more useful tool for those involved in focus group research: that is, let the researcher, the participants and the ethics committee beware that the only ethical assurance that can be given to focus group participants is that there are few ethical assurances. Similarly, for interview participants, the caveats of confidentiality can be stated initially in the informed consent process and refined over the duration of the project using process consent.

Researcher / Participant Safety

Ethics praxis can require the researcher to work within a paradox of foreseeing the unpredictable. Consider Guillimen and Gillam's (2004) now classic example of Sonia, a research participant who reveals during an interview about rural health services in Australia that her husband is sexually abusing her daughter. This revelation is unpredictable in this specific case but is it foreseeable in a generic sense? We believe it is to a degree.

Considering Sonia's revelation, what should a researcher do next? There is no reference group to call on immediately. Additionally, neither the researcher nor the ethics committee predicted anything like this during the formal ethics review. Guillemen and Gillam suggest reflexivity is needed to address big ethical moments like this but offered no practical solution.

A practical resolution to situations like this is to enter every research interview with a list of social services informants can follow-up with. These would include women's refuge, suicide watch, rape crisis, counselling, etc. Providing these referrals is a researcher's responsibility, they are not responsible for providing counsel for the participant. While this example shows that the issue raised had nothing to do with the project and therefore may suggest to some it is a wild outlier that a researcher cannot plan for, nor necessarily should, we disagree. An interview is a process of speaking and being heard for participants. No matter how innocuous a research topic might be, how "safe" we might think it is, one can never know what might come up in an interview. Especially for those participants for whom speaking and being heard is rare, or who may be dealing with other things in their life unrelated to the research, that cannot be kept bottled up when engaging in talking processes. This is aside from those research topics that aim to discuss topics that might surface strong emotions in participants. This requires recognition of one's role, responsibilities, and limits of expertise. Connecting participants to qualified others to deal with issues beyond one's scope as researcher is the ethically right thing to do. In other words, even though the situation was unpredictable in a generic sense these events can be foreseen.

Big ethical moments can also envelop the researcher making them unsafe. Stories they hear from informants can be emotionally draining, pulling them into a precarious space. A postgraduate student studying adolescent poverty shared this description of uncertainty:

Recently one of my participants ran away from a violent situation in her home, and found herself homeless. She reached out to me in a text stating that "if I wasn't desperate, or that if it wasn't my last resort, I wouldn't contact you." It was then, I realised that I had become part of these unstable housing stories. That's when I panicked. I did not know how to respond. I read this message as

serious. I tried calling her immediately, but her phone was turned off or out of battery. (Tolich et al., 2020. p. 593)

Rather than inviting the vulnerable informant into her home the researcher reached out to her reference group to make sense of her responsibilities in this situation.

When researching challenging topics, researchers from novices to experienced researchers must also consider their own psychological safety. Hearing traumatic or upsetting narratives repeatedly as part of research project can have effects on researchers themselves. A researchers' ethics praxis extends to considering those that transcribe traumatic interviews. They, too, need protection yet rarely are their interests addressed by formal ethics review.

Creating a plan to manage one's own wellbeing and that of research assistants who may collect or transcribe data, when setting out such work is vitally important to avoid burnout and/or psychological distress, and to ensure the robustness of the project. Identifying behaviours and activities that help one deal with distress prior to commencing the research, so that a plan is already in place can address these issues. Self-care plans that involve debriefing sessions with a peer, colleague or member of the reference group, after particularly challenging sessions or as regular check-ins can like-wise address emotional issues that arise in the course of the work (Dickson-Swift et al., 2009).

Ethics praxis focuses attention not only on the informant and their communities but also on the potential for harming the researcher. For example, collecting data in unsafe spaces can unsettle researchers and researchers should have a safety plan. Seiber and Tolich (2013) highlighted steps any researcher could take when they found themselves in a risky situation. These steps were drawn from "A Code of Practice for the Safety of Social Researchers" (n.d.). A most basic safety strategy is telling some person where and when the research will take place as well as contacting them at the end of the interview. In other words, assume ethical assurances can disintegrate for the researcher as well. Another strategy is a rapid exit protocol any researcher could use when they feel sufficiently threatened in an interview. Consider this and practice it:

Pull a cell phone from one's pocket as if it had vibrated, stand up answering the phone speaking with some urgency to an imaginary family member repeating the news that a relative is seriously ill and their presence was required. The researcher need only say, "that is tragic, I will be right there" and the researcher leaves the site saying to the participant they will be in touch.

In these situations, the researcher must remain proactive by creating a safety plan, imaging ethics can disintegrate for them, too.

In all cases, ethics praxis, the ability *to do* ethics in the moment as required, in addition to planning appropriately is what we considered vital. This ethical practice requires respect for participants and recognition that the participant, too, has responsibilities. The relationship between the researcher and the participant in a qualitative project is one that is negotiated in an ongoing way.

Discussion

Expect the unexpected should be a basic assumption for qualitative researchers. Researchers must know the promises of qualitative research ethics and what to do when these promises disintegrate. Researchers need to be proactive offering participants consent at both the beginning and at the end of a project. Anonymity is never an option. A second proactive stance is knowing there are limits to confidentiality. These limits should not come as a surprise;

they are known before the research begins when researching relational persons such as interviewing a husband-and-wife about their spending habits separately. The researcher will not know what turn of phrase is important, but the couple will. Relational participants like these need to be made aware of the threat posed by internal confidentiality. Relational participants may appear unbeknownst to the researcher. When the number of research sites approved during formal ethics review designates a sample of 5 factories but data is collected from only one factory ethics praxis requires the researcher to be aware that confidentiality assurances are limited, if not undermined by internal confidentiality.

Even when ethical assurances disintegrate totally, as can happen routinely in focus group research, the researcher's responsibility is to switch ethical assurances toward a participant's autonomy, allowing them to make the decision to stay or withdraw from the research. This action, while ethical, places the researcher's data at risk.

The primacy of the method is broader for qualitative research than data collection and analysis and occurs after ethics review. This primacy means that the researcher is solely responsible for the protection of participants who volunteer to take part in this study. Yet in process consent, sharing the burden of responsibility for risk with the participant as in the losing sleep example is an option.

This shift further emphasises the *participation* of participants, that is, that they are agents in the research process who are due respect, who also have responsibilities and with whom relationships need to be built and maintained.

In sum, ethics praxis is complex as distinct from the simplicity of formal ethics review. In a qualitative research setting the traditional ethical safeguards of anonymity, confidentiality, and consent are only a starting point. This article proposes each researcher developing an ethics praxis, the ability to respond ethically in the field, recognizing research projects as ones that constantly shift and therefore require ongoing consent discussions (process consent), as well as recognizing one's own limitations by employing reference groups and safety plans. These are some of the ways in which qualitative researchers can be ethical and better respect participants in the post-procedural ethics period.

References

- Clandinin, D. J., & Connelly, F. M. (2000). *Narrative inquiry: Experience and story in qualitative research*. Jossey-Bass.
- Dickson-Swift, V., James, E. L., Kippen, S., & Liamputtong, P. (2009). Researching sensitive topics: Qualitative research as emotion work. *Qualitative Research*, 9(1), 61-79. <https://doi.org/10.1177/1468794108098031>
- Edwards, R., & Weller, S. (2016). Ethical dilemmas around anonymity and confidentiality in longitudinal research data sharing: the death of Dan. In M. Tolich (Ed.), *Qualitative ethics in practice* (pp. 97-108). Routledge.
- Ellis, C. (1986). *Fisher folk: Two communities on Chesapeake Bay*. University of Kentucky Press.
- Ellis, C. (1995). Emotional and ethical quagmires in returning to the field. *Journal of Contemporary Ethnography*, 24, 711-713. <https://doi.org/10.1177/089124195024001003>
- Ellis, C. (2007). Telling secrets, revealing lives: Relational ethics in research with intimate others. *Qualitative Inquiry*, 13(1), 3-29. <https://doi.org/10.1177/1077800406294947>
- Guillemin, M., & Gillam, L. (2004). Ethics, reflexivity, and "ethically important moments" in research. *Qualitative Inquiry*, 10(2), 261-280. <https://doi.org/10.1177/1077800403262360>
- Josselson, R. (1996). *Ethics and process in the narrative study of lives* (Vol. 4). Sage.

- Josselson, R. (2007). The ethical attitude in narrative research: Principles and practicalities. In J. Clandinin (Ed.), *Handbook of narrative inquiry: Mapping a methodology* (pp. 537–566). Sage.
- Kaiser, K. (2009). Protecting respondent confidentiality in qualitative research. *Qualitative Health Research, 19*(11), 1632-1641. <https://doi.org/10.1177/1049732309350879>
- Macfarlane, B. (2010). *Researching with integrity: The ethics of academic enquiry*. Routledge.
- Morgan, D. (1998). *The focus groups guidebook*. Sage.
- Muchmore, J. A. (2002). Methods and ethics in a life history study of teacher thinking. *The Qualitative Report, 7*(4), 1-17. <https://nsuworks.nova.edu/tqr/vol7/iss4/8>
- Palys, T., & J. Lowman (2016). A Belfast project autopsy: Who can you trust? In M. Tolich (Ed.), *Qualitative ethics in practice* (pp. 109-120). Routledge.
- Pollard, A. (2009). Field of screams: Difficulty and ethnographic fieldwork. *Anthropology Matters, 11*(2), 1-24. <https://doi.org/10.22582/am.v11i2.10>
- Saunders, B., Kitzinger, J., & Kitzinger, C. (2015). Anonymising interview data: Challenges and compromise in practice. *Qualitative Research, 15*(5), 616-632. <https://doi.org/10.1177/1468794114550439>
- Scheper-Hughes, N. (1979). *Saints, scholars, and schizophrenics: Mental illness in rural Ireland*. University of California Press.
- Scheper-Hughes, N. (2000). Ire in Ireland. *Ethnography 1*(1), 117-140. <https://doi.org/10.1177/14661380022230660>
- Scott, C. R. (2005). Anonymity in applied communication research: Tensions between IRBs, researchers, and human subjects. *Journal of Applied Communication Research, 33*(3), 242-257. <https://doi.org/10.1080/00909880500149445>
- Sieber, J. (1992) *Planning ethically responsible research: Guide for social science students*. Sage Publications.
- Sieber, J., & Tolich, M. (2013). *Planning ethically responsible research* (2nd ed.). Sage.
- Tashakkori, A., & Teddlie, C. (2003). Issues and dilemmas in teaching research methods courses in social and behavioural sciences: US perspective. *International Journal of Social Research Methodology, 6*(1), 61-77. <https://doi.org/10.1080/13645570305055>
- Tolich, M. (1993). Alienating and liberating emotions at work supermarket clerks' performance of customer service. *Journal of Contemporary Ethnography, 22*(3), 361-381. <https://doi.org/10.1177/089124193022003004>
- Tolich, M. (2004). Internal confidentiality: When confidentiality assurances fail relational participants. *Qualitative Sociology, 27*(1), 101-106. <https://doi.org/10.1023/B:QUAS.0000015546.20441.4a>
- Tolich, M. (2009). The principle of caveat emptor: Confidentiality and informed consent as endemic ethical dilemmas in focus group research. *Journal of Bioethical Inquiry, 6*(1), 99-108. <https://doi.org/10.1007/s11673-008-9124-3>
- Tolich, M., & Fitzgerald, M. H. (2006). If ethics committees were designed for ethnography. *Journal of Empirical Research on Human Research Ethics, 1*(2), 71-78. <https://doi.org/10.1525/jer.2006.1.2.71>
- Tolich, M., Tumilty, E., Choe, L., Hohmann-Marriott, B., & Fahey, N. (2020). Researcher emotional safety as ethics in practice: Why professional supervision should augment PhD candidates' academic supervision. In R. Iphofen (Ed.), *Handbook of research ethics and scientific integrity* (pp. 589-602). Springer.
- Vidich, A. J., & Bensman, J. (1968). *Small town in mass society: Class, power, and religion in a rural community*. University of Illinois Press.
- Whyte, W. F. (1981). [1943]. *Street corner society: The social structure of an Italian slum*. Chicago: University of Chicago Press.
- Wiles, R. (2012) *What are qualitative research ethics?* Bloomsbury.

Author Note

Martin Tolich's (0000-0002-0208-9315) first degrees were from Auckland University and his Ph.D. in Sociology was from University of California, Davis. He is currently Associate Professor in Sociology at Otago University, New Zealand. Martin has authored and co-authored numerous books on Research Methods and Research Ethics for Pearson, Oxford University Press, Routledge and Sage. His latest books were *Planning Ethically Responsible Research* (with Sieber), the *Sage Handbook of Qualitative Research Ethics* (with Ron Iphofen), *Public Sociology Capstone: Non-Neoliberal Alternatives to Internships*, and *Social Science Research in New Zealand* (with Davidson). His forthcoming book with Routledge is *Finding Your Ethical Self: A Guidebook for Novice Qualitative Researchers*. He has served on ethics committees for over twenty years and in 2008 founded a not-for-profit independent New Zealand Ethics Committee. In 2012, he gained a blue-sky three year Marsden Grant from the Royal Society of New Zealand to study tensions around ethics review.

Emma Tumilty (0000-0002-4132-6467) is a Bioethicist and Lecturer at the School of Medicine, Deakin University, Geelong, Australia. She completed a PhD in Bioethics at Otago University and Postdoctoral Fellowship in the Institute of Translational Sciences at the University of Texas Medical Branch. Her research interests span both clinical ethics and research ethics, where she is interested in issues of justice, power relations, and feminist approaches. In the area of research ethics she focuses both on what is involved in practicing ethically as a researcher and what is required for research ethics review to be effective and meaningful. Her research is informed by her previous work on ethics review committees in New Zealand and the U.S.A., providing research ethics consultation services, and her experiences as an empirical researcher. She is the book review editor for the *International Journal of Feminist Approaches to Bioethics* and an Associate Editor for *Progress in Community Health Partnership Journal*.

Correspondence should be addressed to Martin Tolich, Sociology, University of Otago, New Zealand. martin.tolich@otago.ac.nz.

Acknowledgements: An earlier version of this paper was presented at the 4th World Conference on Qualitative Research (WCQR2019) in Oporto, Portugal, October 16th to 18th 2019. <https://2019.wcqr.info/world-conference-on-qualitative-research/>

Copyright 2020: Martin Tolich, Emma Tumilty, and Nova Southeastern University.

Article Citation

Tolich, M., & Tumilty, E. (2020). Practicing ethics and ethics praxis. *The Qualitative Report*, 25(13), 16-30. <https://nsuworks.nova.edu/tqr/vol25/iss13/3>
