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Exploring the Ethical Imagination: Conversation as Practice Versus Committee as Gatekeeper

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Abstract: This conversation (from which some excerpts are reproduced below) was part of the preparatory work for my (Sabi) doctorate in education in which I focus on ethical decision-making in qualitative research in health care settings. Les and I hope that readers who share our concerns about how qualitative studies are reviewed may contribute to this dialogue so that, as a community of researchers, we can start to think and speak differently about ethics and ethical decision-making in qualitative research. Thinking and speaking differently, we hope, may bring about changes in the review processes to make them more congruent with the values of our work

and reflect more faithfully the tensions and dilemmas we, and our students, face in our practice.

Key words: *ethics, qualitative research, research regulation, GADAMER, LEVINAS*

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1. Background to Our Conversation

In the United Kingdom (UK), the independent ethical review of research studies taking place in health care settings has been a requirement since the 1970s. Similar processes are in operation in the United States, Canada, Australia and other countries with liberal democratic traditions that emphasise individual rights and freedoms. Since then, ethics in relation to any research with human beings, not just biomedical research with patients, has come to be defined in terms of the three core principles of biomedical research: beneficence, autonomy and justice, which are translated into the practical concerns of risk/benefit analysis, informed consent and confidentiality. These in turn are commonly expressed in ethical guidelines and standards. In the process of ethical review, researchers are required to demonstrate how they will assess the potential risks to participants in the course of the research process and what measures they are proposing to provide appropriate protection. Procedures for gaining informed consent from research participants and for protecting their privacy have assumed particular importance in safeguarding their individual autonomy and rights. The three principles and related concerns have become a powerful model of universal ethics because they are presented as context free—the broad code at work here might be summed up as one where "good research" prioritises avoiding risk and harm over achieving benefits (WEBSTER, BOULTON, BROWN, & LEWIS, 2004). [1]

The power of this universal model of ethics has emerged despite, or maybe because of, an increasing diversification of research methods in health care (DALY & MCDONALD, 1996). The exclusive focus on tissues and organs has widened to include seeing people in their social context which, in turn, has led to an increasing involvement of non-medical disciplines such as sociology, psychology and anthropology (DALY & MCDONALD, 1996). With ethics committees facing difficulties in coming to informed decisions about the ethical implications of proposals submitted for review, there has been a move to develop guidelines for what is to count as both ethical and scientific research (ASHCROFT, 2003; BEAUCHAMP & CHILDRESS, 2001; FADEN & BEAUCHAMP, 1986; ROTHMAN, 1991). Underlying this move is an assump-

tion that it is indeed possible to generate guidelines that apply traditional criteria of bioethics, reliability and validity to research that does not adopt this traditional approach. Thus, it could be argued, a dominant discourse of research ethics has emerged. This dominant discourse of what constitutes scientific and ethical research enabled a particular sort of social practice in relation to research, namely that of regulation, which in the UK has taken the form of the Research Governance Framework (DEPARTMENT OF HEALTH, 2001; 2003). [2]

This discourse has silenced alternative perspectives on research in health care and research ethics. I have argued (REDWOOD, 2005) that this position impoverishes practice in health and social care insofar as the legitimacy of alternative approaches to inquiry is undermined to such an extent that it is hard to imagine that qualitative and participatory studies will actually take place in the UK health service in the future. There are even suggestions that practitioner research in the workplace should be actively discouraged (BUTLER, 2003) on the grounds of possible ethical dilemmas with regard to participant recruitment, data validity and analysis, and role conflict. Such advice diminishes possibilities for practitioner-led inquiry and the development of practitioners' sensitivities of the reality of patients' and clients' lives. [3]

2. Beginning the Dialogue

Through my doctoral study, I wish to produce a space in which it is possible to think differently about qualitative research in health care and to open up new possibilities for thinking about research ethics. Thinking differently may also enable us to engage in dialogue about ethics in qualitative research through re-describing things and developing new vocabularies (RORTY, 1989). The conversation between Professor Les TODRES from the Centre for Qualitative Research at Bournemouth University and myself is an attempt to begin this dialogue. [4]

Sabi: I don't know if it is helpful to think about ethics in qualitative research in two ways—in one way as a procedure in terms of ensuring that we protect our participants from harm in relation to the Nuremberg Code and the Declaration of Helsinki. In this way it would be similar to biomedical research; a procedural ethics. And secondly, important moments in our engagement with our research participants in which we are in some way ethically challenged to think about what we need to do in order to protect our participants at that moment ... I don't know whether you find that a useful distinction: a procedural ethics and an ethics in research practice. How do you feel about that? [5]

Les: The kind of thing we do in qualitative research particularly, we need to think much more about the ongoing ethical guidelines, the ongoing ethical understanding, and even broader, what I like to call ethical imagination, as an ongoing iterative process. The traditional way of looking at the hoped-for ethical possibilities is that you can have certain safety nets and standards in advance so that those standards in advance can ensure informed consent. The problem with qualitative research is that, both for so-called researchers and either co-researchers or respondents, they often do not know in advance the complexity and depth of issues that are going to come up and their experiential implications for them. We're not talking here about an instrumental procedure that is fixed and finite as in a technical world, but we are talking about the whole world of experience and emotion. The whole thing; like things like dignity and respect and people interacting in such a way that people are sharing their lives rather than just undergoing a procedure. As soon as people start sharing their lives, one does not always know, both from a participant's and interviewer's point of view, what the full implications of that are. This is something we need to think about much more. [6]

Sabi: And that obviously doesn't lend itself to something that you do at the design stage. It's something that is ongoing and that happens between the researcher and the research participants as they are engaged in the research process. [7]

Les: Philosophically we need to look to someone like GADAMER much more, who has written in *Truth and Method* on the nature of conversation and how ... there is a happening in conversation that is often unpredictable. As soon as you have that degree of unpredictability you are in a different ball game to the way that, say, ethics guidelines have been set up; in that something new may happen that both the participants did not anticipate. We have to learn how

to work with that in an ethical way. We need to think about that creatively ... that informed consent isn't something that occurs at the beginning perhaps, but that it is something like an on-going checking procedure both during the thing and also in retrospect. The value of ethical guidelines is that they can help us exercise our ethical imagination better in that there are certain kinds of guidelines that are almost like a checklist that can help us think further. So it can serve as a form of discipline and we could perhaps formulate some alternative interesting principles, some additional principles that I think are needed for this different ball game in qualitative research. But I think what has happened this far is that we have used quantitative research and the randomised control trial as the main type of template for our thinking about ethics. I think we need to approach it from a different angle completely and that is why I think people like GADAMER would be important in starting from a different philosophical base. [8]

Sabi: We also speak in the language of quantitative research, don't we: informed consent, protection from harm, etc. These are vocabularies that are rooted in that tradition. Whereas what you were talking about, ethical imagination for example, doesn't draw on that vocabulary. Can you say a bit more about what you understand by the ethical imagination? Or start thinking about what those alternative principles need to address? Maybe that's one and the same question? [9]

Les: Yes. I'll come at this in a sort of roundabout way. I have a felt sense of what I want to say, but it is only in conversation I think that it will reach articulation. So I don't have an already formulated kind of beyondness, which is interesting as well. It's in the process of formulating as we talk. You see there are certain touchstones in common with ethics in a quantitative paradigm, but there are also some very great differences. You picked up on my use of the term imagination. So I'd like to look both at the touchstones as well as the differences. The touchstones are ... when you come up with certain principles like respect and autonomy and things like those, those principles are still ... I like those principles, OK? They just become much more complex when we are talking about the sharing of lives and who owns the discourse, who owns those lives, and so on ... There are certain philosophical and political concerns in qualitative research that stretch things a bit further in my view. One is that the boundary between researcher and researched is not as clear as in quantitative research where you have somebody who is doing the procedure and somebody who is the recipient of the procedure, if you consider some kinds of biomedical research. In various forms of qualitative research you have different epistemologies, but if we go to the opposite, most extreme forms of action research, forms of hermeneutic and phenomenological research, in those kinds of epistemologies you have co-participants in research in which there are other metaphors which become more important. So, for example, in those forms of research, say in phenomenological/hermeneutic research, I see a researcher as being a mediator between private and public worlds. In being a mediator between private and public worlds the ownership of interpretation and the ownership of the products of research belong in different arenas at different times. So there is a whole spectrum. So, for example, one could say that before it is articulated the person's experience is deep inside and deeply private and deeply theirs. As it becomes articulated it is unclear whether it's their experience or whether it is co-constituted between the people involved in the conversation. At that moment it is hard to say that they are the owners of the understanding or of the knowledge although they are the windows for it, but that is different from being owners. Then the mediator or the researcher takes it further into the public world and brings all kinds of other actors and interpreters to bear. And then it becomes a dialogue between people in the literature, other philosophers, other researchers, other people. And then the audience gets involved as well. So we are caring for multiple agendas, we are caring for multiple audiences and we are not only wanting to protect the so-called recipient, or the so-called participant in the traditional sense, but we also have to care about really our audience in some way, and also the uses to which the research is going to be put, as well as the people the participant is talking about. So, for example, I have recently done a piece of research in which the participant is fairly well empowered, and the people I have to think and wonder about are some of the people being talked about who are traditionally in positions of power. To what extent do we care for them and to what extent do we need to be sensitive to their needs? So the definition of harm becomes much more subtle because we are out of the realm of physical harm which would be an easily defined thing. We are talking about the

realms of sensitivities and harm to reputation, different values, and things like that. Once we are talking about a whole range of agendas and we want, at times, qualitative research to be critical, how do we engage in critical analysis to a degree that is productive, versus to a degree that is destructive? It's those kinds of grey areas that I think are tricky. Just to summarise, and I'll try to get to the practical implications of this, we have different epistemologies and different philosophies in which there are lots of different unpredictabilities in the sharing of lives. Secondly, we have a political difference about the definition about who is researcher and who is researched. [10]

Sabi: What you are talking about is a more complex, depth, sensitive interpretation of what harm might be in qualitative research. You have also widened it to include not just the research participant or the person you might interview in the course of the research. But, I like the word that you used: "caring for", the audience and anybody else who might be drawn into the research as a result of the interviewee deciding to share his or her life, or aspects of it with the researcher in the course of the research process. Is that ...? [11]

Les: Yes, that's absolutely ... [12]

Sabi: And it includes social, emotional, psychological harm. I am just going to challenge you and ask, in that case, is it still helpful to base our thinking on those notions of harm or informed consent? Those notions and that discourse are so rooted in the traditional that, however more complex, depth and differentiated we try to make it, we are chaining ourselves still to these notions. I am challenging you, and I am challenging myself also, just to think outside that vocabulary and think: are there words like caring, like imagination, that come up as we are talking that might be more useful when we think about the ethical implications of our research? [13]

Les: My inclination is to want to do that; my inclination is to become very fundamental and go to fundamentals, and go to philosophical fundamentals and think very fundamentally about how to engage our ethical imagination. What alternative criteria are there that are essential and that can be more faithful to the kind of dimensions that we are talking about and which aren't as ambiguous as they are in quantitative things? The word "care" and ethical imagination are important so I think we need to go to the basis of ethics. The other person I think we really need to go to philosophically is LEVINAS. It has to do with his understanding of the respect of otherness and we can bring that sensitivity of ... the real otherness of the other into play. We have a heritage that overly prioritised and privileged the pressure to collapse into sameness and therefore historically has not been very tolerant of diversity and difference. We have a heritage where there is a value judgement of diversity and difference which tends to see difference as either not normal or not right. [14]

Sabi: Or threatening? [15]

Les: Or threatening or things like that. In re-thinking ethics in qualitative research we need help from a philosopher like LEVINAS and how we can imagine (and this is where I have the term ethical imagination from) the interests of multiple participants in this process. And it has a lot to do practically with tone. [16]

Sabi: Tone? [17]

Les: Yes, tone. You see, the traditional view of the researcher is a very authoritative one. As if the products of the research have absolute scientific evidence-based authority, OK? Whereas ... what are the implications if we somehow want to soften that authority? You see, as soon as we enter into an ontology or an epistemology in which we are dealing with human beings who are unique, and as soon as uniqueness comes into it, as soon as we move away from mechanistic, law-like products of knowledge and more into unique variations in our qualitative research, then that brings a certain ... to my mind, an ethical pressure to become much more explicit about the status of our knowledge and its context. So it won't be used to impose a kind of "of course this is how it is" rather than "given this kind of researcher, given this moment in history in this kind context, given these types of people and this kind of audience, these kinds of profiles are emerging". So epistemology is becoming an ethical issue. Traditionally you could separate the epistemology from the ethics. If you dealt with the ethics you didn't have to worry too much about the epistemology, but I think that was based on a self-misunderstanding, even

in science. I think a lot of the philosophers of science are beginning to realise how much traditional ethics obscured the fact of the social use of it. By its very nature epistemology was already a social use, rather than separate from its ethics. Its epistemology then, they took refuge in the fact that its epistemology was separate from its ethics. I think we are having to become much more explicit ... So, just to bring it back, to where are we going with this? [18]

Sabi: I was wondering whether it was helpful to stay with traditional vocabularies of informed consent, individual autonomy, or whether it might be more helpful to explore, as you put it, more fundamental notions and caring was one of them. What you haven't said, the word that keeps pushing itself forward in my mind is "responsibility". Here, the researcher having quite a profound responsibility, not only towards the ethical dimension, in terms of what we traditionally have seen as the ethical dimension towards research participants, but also taking responsibility for the epistemological and philosophical assumptions that we bring to any piece of research. [19]

Les: Yes, I suppose that's what I am saying and you helped me say that, just to pin this down a bit more, which is that one of the ethical responsibilities of research now more like ever before is ... for the researcher to admit their own epistemological power. It's not just a political power, but it is an epistemological power. Rather than hide behind the fact that it is a pre-given rather than it's a power that they take and ... I then become interested in it as an ethical issue, maybe what we would want to recommend in terms of the writing of a qualitative research bid may be a phase in which the person becomes more explicit about things like the epistemological position they are taking, why they are doing this research and who they see the audience as being. So it becomes an ethical issue rather than just a methodological issue to lay claim right at the beginning or to be explicit about the context of the epistemology. This was never an issue, but now we have multiple epistemologies. So that would be one practical position. To come back to your question, we need a whole series of alternative ideas about what ethics means in qualitative research. And we started talking about epistemology being one. We talked about sensitivity to otherness, difference and diversity as being another one. I am sure if we talked long enough we could come up with a few more. I haven't seen this very much. Have you? [20]

Sabi: No. Going through the literature I have come across snapshots of ethically significant moments for researchers that were powerful enough to motivate the researcher to write about them. There is just a handful that I have come across in my reading. They talk in a similar language to the one we are talking now. I don't know whether that is all that I could ever achieve to try to look at unique situations and try and say more about those in ways that might be helpful for other researchers to think about their own projects. What I feel, and I don't know whether that is too ambitious or too naïve or too essentialist, is trying to bring some of those concerns together, both those that are mentioned in the literature and our own concerns and do a little more than just talk about ethically significant moments. But to think more holistically in ways that inform not just the odd researcher who happened to read a paper, but to inform communities of researchers and those who have been put in positions of power and gate-keeping to exercise control over the research that happens in the area over which they have authority. Maybe I am involved here in a modernist project, and I am quite happy to come to that conclusion that what I am trying to bring together is something that is more general than the unique moments. I think there is something to be said about the usefulness of such a project because what it might do is inform the way we talk about ethics in qualitative research. If we could develop new vocabularies, that might change and become different, but in use become a sort of shared vocabulary that we could use to talk within the community of researchers when we come to address ethical issues. But also in relation to those people who have professional power and that's why they sit on gate-keeping bodies, but also for lay members of those boards who seem to me to be very steeped in the traditional discourse about what ethics is. I don't know if that answers your questions. [21]

Les: It does and what it makes me think about are ... you see, coming from a GADAMERian perspective in which comes the question: what would a credible peer group be for us, which is different to just an officious gate-keeper? Now, the ethics committees were never intended to be officious gate-keepers although there were standards of accountability, which is fine, but

then ... if they are also going to extend their jurisdiction to qualitative research there is a question about whether they are up to that in terms of the kinds of things we were talking about. I am also thinking through, like you, what the applicability of a so-called ethics committee is in the ways we're talking because I think that, depending on what political point of view you have, most people in a fairly enlightened democratic society would say that the ethics committee is a safety net. It's a place of accountability and it has certain minimal criteria, but it falls far short of the kind of ethical imagination we are beginning to talk about as encouraging, which has to do with a kind of sensitivity and tactfulness that no ethics committee could ensure. All an ethics committee could do at best is be a kind of bottom line safety net. But if it is a bottom line safety net, what sort of bottom line safety net do we need for qualitative research? They could operate as that. They could also operate as a credible peer group, or do we need a different group as a credible peer group? There is probably room for both a modernist and a postmodern agenda, maybe. The modernist agenda would be very minimal and I don't know what those criteria would be; that would be interesting. [22]

Sabi: Yes, developing that, or moving towards developing that, could be done maybe as part of my doctorate. I think all we have at the moment, in the literature certainly, are accounts of unique moments in which researchers have become aware of their ethical responsibilities and the poor quality of the vocabulary that we have at our disposal to discuss those. It is interesting that the accounts that I am thinking of are trying to think about those ethically important moments and try to theorise and generalise, and terms like frameworks and systems are mentioned. From that perspective I think there is a need for qualitative researchers to collectively address these issues because the complaint is that there isn't a community where we can go to discuss these concerns. I don't know where best to start. I have a feeling it might be at the more abstract level, the more theoretical level, rather than trying to come to some sort of minimum quality standard. I would like to take us back to what we were starting to talk about earlier about caring and responsibility and ethical imagination, and try and use those when we talk about our own research. I don't know if you can think of a project that you have done where those terms might have been very useful to explore what was happening between yourself and research participants, and ways of knowing, the audience, the utility of the text we produce. [23]

Les: I can talk personally and more than personally because of my background as a psychotherapist. Theoretically we now have over a hundred years of psychotherapy and that whole tradition has a lot to teach us about the ethical dimension of qualitative research. I agree that we need to sort out the overlaps, the differences and the similarities between qualitative research and psychotherapy, but there are some issues that come up in psychotherapy that are very germane to the management of the relationship, about how authenticity, about trust, about that kind of non-harm, if you want to use that word. There is a whole set of terms in psychotherapy that would be useful for us to look at. Because we are dealing reflexively, because we are co-researchers, because the researcher and participant are human and therefore understanding is always negotiated; all of those things in the psychotherapeutic tradition would be useful to look at as an alternative to what we've got. Why I am wanting to say that is because personally I can talk about a concrete specific research into me wanting to understand and articulate the phenomenon of greater self insight that leads to a greater sense of freedom. Immediately I am situated in a very complex situation that I am aware of as a phenomenological researcher in which I have multiple cares and I make these multiple cares explicit. Before me I have a whole tradition of theoreticians and jargon. I have a whole lot of schools from the psychoanalytical field all saying different things, using different jargon. You have people talking about the reorganisation of psychic energy; you have people talking about the challenging of self-destructive beliefs; others are talking about changing behaviours as being crucial to change. So what I have sitting on me is a whole tradition, a whole heritage who I am talking to. The other things I am also caring for is my audience and what I want the research to contribute to ... I could say I am wanting to contribute to the literature or the evidence base; but more than that, that's not the only thing I want to contribute to, so I have a concern as well. I want to enable new or young or trainee practitioners to find the research useful in a way that empowers them in some way. That makes me think about a different kind of writing to summative writing. So in caring about my readers as an audience and not just a group of scientists in journals, because I have those alternative concerns, my very mode of

writing becomes an ethical issue for me and determines if I write about something or whether I write in a more evocative way. So depending on how I place myself in relation to who I am caring for, I will write differently or I will express my so-called results and findings in different ways. I am talking about multiple cares. I am talking about caring for my tradition. I am talking about caring for my audience in wanting to bring something new into the world. I am talking about caring for my respondents in wanting it to be a good experience for them. Therefore, caring about not only that they give me something, but they also get something, that I give them something, crudely, in terms of value. And I need to think about that. What will they get from it? Also caring that they feel understood, not just by me, but also the public. And then, where I am more than a psychotherapist as a mediator, as a cultural mediator, I am also caring for the public and wanting somehow to create a space in public life where this person's voice can be heard and can make a difference. In doing that, I have to be sensitive to what the public can hear and listen to and how they can receive it, as well as whether the person is brought forward or mediated in such a way that they feel has done justice to their energy and commitment. So it is in these multiple levels of care that I situate myself and all of that I think about in terms of my methodology. So in that way, my methodology becomes an ethical issue. [24]

3. Conclusion

Since this interview was recorded, the conversation has moved on and others have joined in our debates. Issues of power and authority in the regulation of research have continued to exercise us insofar as ostensibly these regulatory processes are about public protection and empowerment, and are presented as benign and value-neutral. Current representations of research ethics in regulatory guidelines are staged as if there is only one legitimate way to produce knowledge, which silences, or at least renders problematic, attempts at knowledge production using other ways. We hope that our conversation will open up further conversations about the ethical imagination as creating new possibilities for resistance against the universalist claims of biomedical ethics. Such conversations can also be seen as a refusal to close off other ways of knowing and other ways of relating to others as researchers. [25]

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