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Ethical codes of conduct and practices using human subjects

Norani Mohd.Salleh* *, Rohaida Mohd.Saat

*University of Malaya, 50603 Kuala Lumpur, Malaysia

Abstract

The objective of this exploratory study is to understand lecturers’ perception of ethics as it relates to the use of human subjects. Voluntary participation, protection from risks and cultural sensitivities are issues highlighted. Ten research course lecturers who were in-charge of academic research were interviewed. Study shows that lecturers are conversant with ethical procedures. However lack of clear ethical guidelines and enforcement mechanism promotes several scenarios; those who adhered to specific codes of ethics completely; those who are unfussy and viewed the matter as institutional prerogatives, and those who weight expediency more. Personal academic experiences abroad underscored their stances.

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1. Introduction

Many medical faculties in Malaysian Universities have code of ethics specific to dealing with research involving human subjects. Other disciplines, however, are not as quick to institute a definite regime or mechanism to apply similar code of ethics but increasingly showing interest in involving human as subjects in their research. The qualitative tradition in educational research spear-headed by Chicago school has become the bench-mark for many in the field of education, sociology and counseling. However, enthusiastic interests in qualitative data collecting strategies are often not matched with interest to address ethical challenges that arises. As reported by Bogdan and Biklen (2006) the strong stances people take are not always supported by deep knowledge about what they are against.

Earlier difficulties faced are with working together with counterparts who are predominantly quantitative in orientation. Many of them viewed qualitative research designs as lacking rigor and objectivity. It becomes even more difficult dealing with colleagues who share similar orientation but are not equally concern to address the ethical issues that may arise from using human subjects in their research. The differing opinions created rift among like-minded researchers and make collaboration among them less harmonious. The question to ask is why this situation happened? What are the views of those who are in position to support research projects on this matter? What code or ethical guidelines are appropriate for use in the field of education? This exploratory study aims to get a better understanding of researchers’ perceptions of ethics when using human subjects in the field of educational research. It specifically examines researchers’ view on voluntary participation, protection from risks and cultural sensitivities of participants. Some of these issues may be common among developing countries whose young

* Norani Mohd.Salleh. Tel:+603-79675043; fax:+603-79675148.
E-mail address: norani@um.edu.my
academicians are trained elsewhere namely in Western and developed countries. The mixed of different educational experiences abroad and different cultural settings, expectations and values may bring about uneasiness or even agitation among colleagues; not conducive for healthy sharing and learning.

2. Malaysian scenarios

Interest among Malaysian academicians in qualitative research in recent years has highlighted issues that are closely tied to strategies of collecting data. Among the common tools used in qualitative research are prolonged and in-depth interviews, participant observations and personal accounts. These strategies often bring about intense and prolong contact between researcher and their human subjects. Researchers involving human subjects are often reminded about the need to build trust, demonstrate empathy and mutual respect for the rights of others who are participating in their research (Densin, N.K.,&Lincoln,Y.S, 2000). The image conjures from this is that of vulnerable individuals who may need protection from inappropriate treatment or even abuses. From the perspective of Kantian ethical principle it categorically up-held subject’s personal right to autonomy and this may run counter to the utilitarian framework where the greater good override individual interest. Arguably, both Kantian and Utilitarian ethics have morally sound bases.

In the medical profession, the Nuremberg Code set a standard for its research and practices on human beings. The underpinning principles of “self-determination” and the protection of (human) subjects from harm embedded in the code, underscore the universal rights of any persons in any situations. Since then many institutional review boards often referred as IRBs has been established to review the conduct of research on human subjects. Medical faculties and health care providers are consistently among the forerunners to provide code of ethics. This is because their professions dealt directly with the well-being of human subjects. Many medical faculties in Malaysian Universities have code of ethics specific to dealing with research involving human subjects. Other disciplines, however, are not as quick to institute a definite code of ethics or similar mechanism. But many other universities are increasingly showing interest in involving human subjects in their research including the field of education. The qualitative tradition in educational research spear-headed by Chicago school has become the bench-mark for many in the field of education, sociology and counseling. However, enthusiastic interests in qualitative data collecting strategies are often not matched with interest to address ethical challenges that arises. Different cultures have their own set of rules about appropriate behavior, communication and relationships. As a researcher it is important not only to know one’s own values and beliefs and the principles or ethical codes available for use but to view one’s own responsibility as it relates to the suffering of others. The intense and prolong researcher’s relationship with human subjects in qualitative research define this responsibility.

A country like Malaysia with its multi-racial, cultural and belief systems open-up greater avenue for misinterpretations if the researcher is not familiar or aware of the cultural variations. Malaysian held different ideas about privacy from the West. Rapport and fieldwork relationships may have to be address differently. This study signifies the importance of conducting research in ethically responsible manner with due respect to the rights of the human subjects involved in the research. Recent interest and popularity in the use of qualitative methods in education which focuses on observation or / and in-depth interview as tools for collecting data suggest greater possibility that school children may be put to risks unduly. Unfortunately unlike other countries where IRB (Institutional Review Board) committees are set-up specifically to safeguard the “rights” of human subjects or participants, Malaysian universities mostly rely on EPRD; a government body that oversees the general conduct of research. It is therefore important for Malaysian universities (excluding the Medical Faculties) to look closely into the ethical issues regarding use of human subjects in research. Malaysia is signatory to CRC (Children Right Convention) and recognizes the UDHR (Universal declaration of Human Rights) which among other things protect the individuals from risks and support the right to “self-determination”. While there are few litigations in the country arising from failing to adhere to the rights of participants in research; the possibility is there. Academic institutions in developing countries like Malaysia need to address this issue for other reasons as well. Interesting, the different cultural and religious backgrounds of its people may call for dissimilar views from that held in other parts of the world, especially those in the West. After all ethics is about values that is deeply and totally integrated in the lives of those who upheld those values. It is hope that the study will create the awareness of the complexity and
difficulties in addressing ethics in educational research that involved human subjects particularly on subject’s autonomy, protecting them from risks and insensitivities.

3. Research Methodology

In this study, four public universities in Malaysia that offered educational degrees at Master and PhD levels were included (excluding Sabah and Sarawak). Participants include 10 lecturers who conducted (i) lectures in education and supervising students at master and PhD levels and (ii) directly involved in research committees and/or responsible for reviewing research proposals such as deputy deans who are directly responsible for research. The research was carried out in two phases.

The first phase consists of preliminary inquiries about printed ethical guidelines and examining their content. The aim of the exercise was to ascertain the existence and available procedures involving human subjects in educational research. In the second phase, interviews were carried out with the individual lecturers. The aim is to get a clearer picture of their concerns or issues regarding ethics and in particular the use of human subjects in their research. All the interviews were audio-taped and transcribed. All pre-scheduled meetings were carried only after getting respondents’ consent.

The analysis of data especially with reference to participants’ perceptions regarding ethics and the use of human subjects in research was primarily interpretive. Largely the analysis refers to inductive approach where ideas were developed from the data and relating those ideas with the broader concerns, concepts and questions specific to the study. At some points the ideas were also compared for similarities and differences. Reporting was primarily descriptive.

4. Findings

Many of the lecturers are conversant with the ethical procedures. Many of them agree that subject’s right to self-determination, confidentiality and protection from risks or harms should be considered. However, many were unfussy about instituting them officially and viewed the matter as institutional prerogatives. As explained by Lecturer A, “since no guidelines, it all depends on who is the dean or HOD; difficult if these people themselves are not aware” (2008, 65-9).

One lecturer openly attributed the problem to enforcement. Apparently while many felt it would be a good idea to have guidelines specific to the use of human subjects in research they were not committal. Many do not think that ethical considerations were priority in doing research.

“Don’t know – no enforcement. (Ethical rules/guidelines) necessary for supervision and graduate students should know, but don’t think many implement”(Lecturer A, 2008,60).

Those who are in the administrative position can lend support to its enforcement. One deputy dean of research in one of the universities was nonchalant when queried on the lack of specific guidelines on ethics in his faculty. He instead mentioned the department of research and development in the Ministry of Education (Malaysia) or EPRD’s consent as an adequate source of ethical propriety. Others draw attention to university calendars and guidelines that relates to academic ethics and conduct on plagiarism and cheating. Sometimes, issues of right to self-determination were met with lukewarm acknowledgement especially about letting subject knows that they can withdraw at will and at anytime they wanted. Some considered this as unnecessary information and worried about incomplete project. One lecturer responded:

“That one problem making us afraid to let it known (they can leave the research at any time)....afraid we can’t get the information we want. Subject kept missing. If we have 10 subjects and 2 run away in the middle (of the research), we are done! (Lecturer B, 2008, 319-325)
Interestingly, while many of the lecturers assumed students knew about ethics, lecturers interviewed were not forthcoming with specifics other than mentioning consent and confidentiality. Many relate consent to access and even litigation. For example, parental consent is weighted for their legal rights over their children and therefore consent is viewed as smart move in anticipation of problem that could arise. Otherwise getting the consent of a single principal is viewed as having rights to access to all the students studying in his school. In many cases, the politics of organizational expediency is upheld; simply for practical reasons.

Some lecturers bring up the issue of different mind-sets and attitudes which they sometimes relate to cultural upbringings. The country is a multi-cultural mixed of different races namely the Malay, Chinese and Indians. One Malay lecturer alluded to the possible risk of bringing out negative thinking among young subjects whose varied religious background may confused them as they were taught different values even on basic matters like food, dressing and conduct of relationships. Others felt it would be more appropriate to collaborate with researchers or research assistants who are of the same race as the subjects in order to overcome cross-cultural insensitivities. Perceptions about the cultural values and views held by different people of different culture introduce additional concerns. For example whose values and views should be considered?

Interestingly, the lack of clear guidelines or code of ethics on the use of human subject has encouraged some lecturers to have their own expectations as to what is appropriate ethically and what is not. Often these expectations are translated in their supervisory work with their students. A few lecturers were adamant and judged student thesis unacceptable for failing to adhere completely to the principle of subject’s right to self-determination and confidentiality. The strength for such strict support for it lies mainly in their own personal academic experiences abroad when they were doing their graduate studies rather than the research norms of their workplaces. They relates the time when they were vetted by ethical committee and have to address specifically and in detail many ethical issues pertaining to the human subjects in their research before being allowed to carry out fieldwork. They attended courses that stressed the importance and relevance of ethics in fieldwork. Not uncommon for lecturers trained overseas in qualitative research methodology complained the lack of understanding among colleagues who are quantitative in orientation. On the other hand, the unique and variation in terms of cultural values between western and eastern values become the excuse for counterproductive blame game. The locally trained lectures labelled lecturers trained abroad as being under the influenced of the West and disloyal. Much need to be done to close the gap and bridge understanding among these lecturers. Presently, universities in Malaysia cover ethics in research methodology courses for less than one or at the most two sessions.

Generally, ethics in research according to Sieber (1992) is meant to create a mutually respectful, win-win relationship where the subjects are please to participate and it is beneficial to the community at large. In a sense, ethics take into account the personal as well as the social. In the Malaysian context the personal and the social is greatly complicated by cultural variations. A strict adherence to specific codes and ethical requirements may not necessary be helpful (MacFarlane, 2009). However it may be beneficial to provide and implement guidelines that can become a common source of reference that not only reflects and address the unique cultural background of the country but promote research collaborations. Conclusively, the use of human subjects in educational research needs to be reviewed more stringently and responsibly by universities in Malaysia. It is also timely for the values and other cultural variations than those from the west to be highlighted and to be duly regarded as acceptable and appropriate. This in the long run allows for greater sharing of ideas and advance collaborations locally and internationally.
References


