

Principles of Professional Responsibility

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Anthropology—that most humanistic of sciences and scientific of humanities—is an irreducibly social enterprise. Among our goals are the dissemination of anthropological knowledge and its use to solve human problems. Anthropologists work in the widest variety of contexts studying all aspects of the human experience, and face myriad ethical quandaries inflected in different ways by the contexts in which they work and the kinds of issues they address. What is presented here is intended to reflect core principles shared across subfields and contexts of practice.

These core principles are expressed as concise statements which can be easily remembered for use by anthropologists in their everyday professional lives. Each principle is accompanied by brief discussions placing that principle in a broader context, with more detailed examinations of how each affects or may be helpful to anthropologists in different subfields or work contexts. These examinations are accompanied by resources to assist anthropologists in tackling difficult ethical issues or the new situations that inevitably arise in the production of knowledge.

As a social enterprise, research and practice always involve others— colleagues, students, research participants, employers, clients, funders (whether institutional, community-based or individual) as well as non-human primates and other animals, among others (all usually referred to as ‘research participants’ in this document). Anthropologists must be sensitive to the power differentials, constraints, interests and expectations characteristic of all relationships. In a field of such complex rights, responsibilities, and involvements, it is inevitable that misunderstandings, conflicts, and the need to make difficult choices will arise. Anthropologists are responsible for grappling with such difficulties and struggling to resolve them in ways compatible with the principles stated here. These principles provide anthropologists with tools to engage in developing and maintaining an ethical framework for all stages of anthropological practice – when making decisions prior to beginning projects, when in the field, and when communicating findings and preserving records.

These principles address *general* circumstances, priorities and relationships, and also provide helpful specific examples, that should be considered in anthropological work and ethical decision-making. The individual anthropologist must be willing to make carefully considered ethical choices and be prepared to make clear the assumptions, facts and considerations on which those choices are based.

Ethics and morals differ in important ways. The complex issues that anthropologists confront rarely admit to the simple wrongs and rights of moral dicta, and one of the prime ethical obligations of anthropologists is to carefully and deliberately weigh the consequences and ethical dimensions of the choices they make — by action or inaction. Similarly, ethical principles and political positions should not be conflated; their foci of concern are quite distinct. Finally, ethics and law differ in important ways, and care must always be taken in making these distinctions. Different processes are involved in making ethical versus legal decisions, and they are subject to different regulations. While moral, political, legal and regulatory issues are often important to anthropological practice and the discipline, they are not specifically considered here. These principles address ethical concerns.ⁱ

Although these principles are primarily intended for Association members, they also provide a structure for communicating ethical precepts in anthropology to students, other colleagues, and outside audiences, including sponsors, funders, and Institutional Review Boards or other review committees.

The American Anthropological Association does not adjudicate assertions of unethical behavior, and these principles are intended to foster discussion, guide anthropologists in making responsible decisions, and educate.ⁱⁱ

1. Do No Harm

A primary ethical obligation shared by anthropologists is to do no harm. It is imperative that, before any anthropological work be undertaken — in communities, with non-human primates or other animals, at archaeological and paleoanthropological sites — each researcher think through the possible ways that the research might cause harm. Among the most serious harms that anthropologists should seek to avoid are harm to dignity, and to bodily and material well-being, especially when research is conducted among vulnerable populations. Anthropologists should not only avoid causing direct and immediate harm but also should weigh carefully the potential consequences and inadvertent impacts of their work. When it conflicts with other responsibilities, this primary obligation can supersede the goal of seeking new knowledge and can lead to decisions to not undertake or to discontinue a project. In addition, given the irreplaceable nature of the archaeological record, the conservation, protection and stewardship of that record is the principal ethical obligation of archaeologists. Determining harms and their avoidance in any given situation is ongoing and must be sustained throughout the course of any project.

Anthropologists may choose to link their research to the promotion of well-being, social critique or advocacy. As with all anthropological work, determinations regarding what is in the best interests of others or what kinds of efforts are appropriate to increase well-being are value- laden and should reflect sustained discussion with others concerned. Anthropological work must similarly reflect deliberate and thoughtful consideration of potential unintended consequences and long-term impacts on individuals, communities, identities, tangible intangible heritage and environments.

2. Be Open and Honest Regarding Your Work

Anthropologists should be clear and open regarding the purpose, methods, outcomes, and sponsors of their work. Anthropologists must also be prepared to acknowledge and disclose to participants and collaborators all tangible and intangible interests that have, or may reasonably be perceived to have, an impact on their work. Transparency, like informed consent, is a process that involves both making principled decisions prior to beginning the research and encouraging participation, engagement, and open debate throughout its course.

Researchers who mislead participants about the nature of the research and/or its sponsors; who omit significant information that might bear on a participant's decision to engage in the research; or who otherwise engage in clandestine or secretive research that manipulates or deceives research participants about the sponsorship, purpose, goals or implications of the research, do not satisfy ethical requirements for openness, honesty, transparency and fully informed consent.ⁱⁱⁱ Compartmented research by design will not allow the anthropologist to know the full scope or purpose of a project; it is therefore ethically

problematic, since by definition the anthropologist cannot communicate transparently with participants, nor ensure fully informed consent.^{iv}

Anthropologists have an ethical obligation to consider the potential impact of both their research and the communication or dissemination of the results of their research. Anthropologists must consider this issue prior to beginning research as well as throughout the research process. Explicit negotiation with research partners and participants about data ownership and access and about dissemination of results, may be necessary before deciding whether to begin research.

In their capacity as researchers, anthropologists are subject to the ethical principles guiding all scientific and scholarly conduct. They must not plagiarize, nor fabricate or falsify evidence,⁴ or knowingly misrepresent information or its source.^v However, there are situations in which evidence or information may be minimally modified (such as by the use of pseudonyms) or generalized, in order to avoid identification of the source and to protect confidentiality and limit exposure of people to risks.

3. Obtain Informed Consent and Necessary Permissions

Anthropological researchers working with living human communities must obtain the voluntary and informed consent of research participants. Ordinarily such consent is given prior to the research, but it may also be obtained retroactively if so warranted by the research context, process, and relations. The consent process should be a part of project design and continue through implementation as an ongoing dialogue and negotiation with research participants. Normally, the observation of activities and events in fully public spaces is not subject to prior consent.

Minimally, informed consent includes sharing with potential participants the research goals, methods, funding sources or sponsors, expected outcomes, anticipated impacts of the research, and the rights and responsibilities of research participants. It must also include establishing expectations regarding anonymity and credit.^{vi} Researchers must present to research participants the possible impacts of participation, and make clear that despite their best efforts, confidentiality may be compromised or outcomes may differ from those anticipated. These expectations apply to all field data, regardless of medium. Visual media in particular, because of their nature, must be carefully used, referenced, and contextualized.

Anthropologists have an obligation to ensure that research participants have freely granted consent, and must avoid conducting research in circumstances in which consent may not be truly voluntary or informed. In the event that the research changes in ways that will directly affect the participants, anthropologists must revisit and renegotiate consent. The informed consent process is necessarily dynamic, continuous and reflexive. Informed consent does not necessarily imply or require a particular written or signed form. It is the quality of the consent, not its format, which is relevant.

Anthropologists working with biological communities or cultural resources have an obligation to ensure that they have secured appropriate permissions or permits prior to the conduct of research. Consultation with groups or communities affected by this or any other type of research should be an important element of the design of such projects and should continue as work progresses or circumstances change. It is explicitly understood that defining what constitutes an affected community is a dynamic and necessary process.

4. Weigh Competing Ethical Obligations Due Collaborators and Affected Parties

Anthropologists must weigh competing ethical obligations to research participants, students, professional colleagues, employers and funders, among others, while recognizing that obligations to research participants are usually primary.^{vii} In doing so, obligations to vulnerable populations are particularly important. These varying relationships may create conflicting, competing or crosscutting ethical obligations, reflecting both the relative vulnerabilities of different individuals, communities or populations, asymmetries of power implicit in a range of relationships, and the differing ethical frameworks of collaborators representing other disciplines or areas of practice.

Anthropologists have an obligation to distinguish the different kinds of interdependencies and collaborations their work involves, and to consider the real and potential ethical dimensions of these diverse and sometimes contradictory relationships, which may be different in character and may change over time. When conflicts between ethical standards or expectations arise, anthropologists need to make explicit their ethical obligations, and develop an ethical approach in consultation with those concerned.

Anthropologists must often make difficult decisions among competing ethical obligations while recognizing their obligation to do no harm. Anthropologists must not agree to conditions which inappropriately change the purpose, focus, or intended outcomes of their research. Anthropologists remain individually responsible for making ethical decisions.

Collaborations may be defined and understood quite differently by the various participants. The scope of collaboration, rights and responsibilities of the various parties, and issues of data access and representation, credit, acknowledgment and should be openly and fairly established at the outset.^{viii}

5. Make Your Results Accessible

Results of anthropological research should be disseminated in a timely fashion. It is important to bear in mind that these results may not be clear cut, and may be subject to multiple interpretations, as well as susceptible to differing and unintended uses. In some situations, limitations on dissemination may be appropriate where such restrictions will protect participants or their cultural heritage and/or tangible or intangible cultural or intellectual property. In some cases, dissemination may pose significant risks because once information is disseminated, even in a limited sphere, there is great likelihood that it will become widely available.^{ix} Thus, preventing dissemination may sometimes be the most ethical decision. Dissemination and sharing of research data should not be at the expense of protecting confidentiality.

Anthropologists should not withhold research results from research participants, especially when those results are shared with others. However, restrictions on disclosure may be appropriate and ethical, such as where study participants have been fully informed and have freely agreed to limited dissemination, or where restrictions have been placed on dissemination to protect the safety, dignity, or privacy of research participants or to minimize risk to researchers. Proprietary, classified or other research with limited distribution raises ethical questions which must be resolved using these ethical principles.

6. Protect and Preserve Your Records

Anthropologists have an ethical responsibility for ensuring the integrity, preservation, and protection of their work. This obligation applies both to individual and collaborative or team research. An anthropologist's ability to protect and use the materials collected may be contingent upon complex issues of ownership and stewardship.^x In situations of disagreement, contestation, or conflict over ownership, the primary assumption that the researcher owns her or his work product applies, unless otherwise established. Other factors (source of funding, employment agreements, negotiated agreements with collaborators, legal claims, among others) may impact ownership of records.^{xi} Anthropologists should determine record ownership relating to each project and make appropriate arrangements accordingly as a standard part of ethical practice. This may include establishing by whom and how records will be stored, preserved, or disposed of in the long term.

Further, priority must be given to the protection of research participants, as well as the preservation and protection of research records. Researchers have an ethical responsibility to take precautions that raw data and collected materials will not be used for unauthorized ends. To the extent possible at the time of data collection, the researcher is responsible for considering and communicating likely or foreseeable uses of collected data and materials as part of the process of informed consent or obtaining permission. Researchers are also responsible for consulting with research participants regarding their views of generation, use and preservation of research records. This includes informing research participants whether data and materials might be transferred to or accessed by other parties; how they might be transformed or used to identify participants; and how they will be stored and how long they will be preserved.^{xii}

Researchers have a responsibility to use appropriate methods to ensure the confidentiality and security of field notes, recordings, samples or other primary data and the identities of participants. The use of digitalization and of digital media for data storage and preservation is of particular concern given the relative ease of duplication and circulation.^{xiii} Ethical decisions regarding the preservation of research materials must balance obligations to maintain data integrity with responsibilities to protect research participants and their communities against future harmful impacts. Given that anthropological research has multiple constituencies and new uses such as by heritage communities, the interests of preservation ordinarily outweigh the potential benefits of destroying materials for the preservation of confidentiality.^{xiv} Researchers generating object collections have a responsibility to ensure the preservation and accessibility of the resulting materials and/or results of analyzed samples, including associated documentation.

7. Maintain Respectful and Ethical Professional Relationships

There is an ethical dimension to all professional relationships.^{xv} Whether working in academic or applied settings, anthropologists have a responsibility to maintain respectful relationships with others. In mentoring students, interacting with colleagues, working with clients, acting as a reviewer or evaluator, or supervising staff, anthropologists should comport themselves in ways that promote an equitable, supportive and sustainable workplace environment.^{xvi} They should at all times work to ensure that no exclusionary practices be perpetrated on the basis of any nonacademic attributes.

Anthropologists may gain personally from their work, but they must not exploit individuals, groups, animals, or cultural or biological materials. Further, when they see evidence of research misconduct, they are obligated to report it to the appropriate authorities.^{xvii}

Anthropologists must not obstruct the scholarly efforts of others when such efforts are carried out responsibly. In their role as teachers and mentors, anthropologists are obligated to provide instruction on the ethical responsibilities associated with every aspect of anthropological work. They should facilitate, and encourage their students and research staff to engage in dialogue on ethical issues, and discourage their participation in ethically questionable projects. Anthropologists should appropriately acknowledge all contributions to their research, writing, and other related activities, and compensate contributors justly for any assistance they provide. They are obligated to give students and employees appropriate credit for the authorship of their ideas, and encourage the publication of worthy student and employee work.^{xviii}

NOTES

ⁱ Murray L. Wax, "Some Issues and Sources on Ethics in Anthropology," in *Handbook on Ethical Issues in Anthropology*, ed. Joan Cassell and Sue-Ellen Jacobs, Special Publication of the American Anthropological Association 23 (Washington, D.C.: American Anthropological Association, 1987).

ⁱⁱ Commission to Review the AAA Statements on Ethics, *Final Report of the Commission to Review the AAA Statements on Ethics* (1995); Janet E. Levy, "Life is Full of Hard Choices: A Grievance Procedure for the AAA?" *Anthropology News* 50, no. 6 (2009):7-8; Carolyn Fluehr-Lobban, "Guiding Principles over Enforceable Standards." *Anthropology News* 50, no. 6 (2009):8-9

ⁱⁱⁱ Charlotte Allen, "Spies Like Us: When Sociologists Deceive Their Subjects," *Lingua Franca* 7, no. 9 (1997), David Calvey, "The Art and Politics of Covert Research: Doing 'Situated Ethics' in the Field," *Sociology* 42, no. 5(2008):905-918

^{iv} In this document, when we use the term "compartmented," we are referring generally to any research project in which the principal investigator is part of a research project, conducted on behalf of a third party, in which researcher has neither control nor knowledge about the overall goals, structure, purpose, sponsors, funding, and/or other critical elements of a project. Such projects may have government or private funding and may or may not entail classified information.

Any research project that limits the anthropologist's access to decisions, information and/or documentation that enables her/him to understand and responsibly explain the structure, goals, risks, and benefits of the research to potential subjects is problematic. This is because the researcher's limited understanding and control makes it impossible to present potential participants with a clear and honest statement of risks, benefits, and outcomes

^v Department of Health and Human Services, "42 CFR Parts 50 and 93: Public Health Service Policies on Research Misconduct," *Federal Register* 70, no. 94(2005):28370-28400

^{vi} Sue-Ellen Jacobs, "Case 5: Anonymity Declined," and "Case 6: Anonymity Revisited," in *Handbook on Ethical Issues in Anthropology*, ed. Joan Cassell and Sue-Ellen Jacobs, Special Publication of the American Anthropological Association 23 (Washington, D.C.: American Anthropological Association, 1987)

^{vii} Joan Cassell, "Case 17: The Case of the Damaged Baby," and "Case 20: Power to the People," in *Handbook on Ethical Issues in Anthropology*, ed. Joan Cassell and Sue-Ellen Jacobs, Special Publication of the American Anthropological Association 23 (Washington, D.C.: American Anthropological Association, 1987).

^{viii} *Concerns Before You Start: When you begin considering an employment opportunity, there are a few documents to carefully review before agreeing to become an employee. First, most organizations will have an employment contract, personnel manual or some type of document that governs the relationship between the employee and the organization. Read this document(s) carefully. It usually spells out the conditions of employment, the employer's responsibilities and the employee's responsibilities. In these documents you should also find rights and responsibilities about data and publications. This is where you need to be clear about ownership of data, what is considered data, who has the right to review publications and final clearance on documents for distribution. If you believe that the terms are inappropriate, you should speak directly to the employer about your concerns. Be aware however, that the employer does not have to change their position; these documents have been carefully developed and reviewed by a variety of professional resources. In some situations, you may find these documents can be modified and it is an opportunity to help to educate the employer about your concerns and the issues raised by this code of ethics. You may be able to negotiate terms that you find appropriate based on this code of ethics. In any case, it will be up to you to work with the employer to modify the terms of employment. If you review these documents carefully before becoming an employee, you will be fully informed and can then make a considered decision about whether to accept an offer of employment.*

If you are applying for a grant or contract there will be language in the application forms that spells out the rights and responsibilities of the funder and the grantee/contractor. These documents should be carefully reviewed so that you are clear about the conditions of award that you will agree to if your proposal is successful and you accept the grant or contract. If there are conditions which are contrary to the principles in this code, you can bring it to the attention of the funder and attempt to negotiate appropriate language in the grant or contract. However, the funder has in most cases carefully considered their requirements, has obtained professional reviews and believes that the terms and conditions best serve their needs. You may find that many funders, particularly foundations are eager to have their work disseminated and you find willing partners. At the same time you may find that some funders place restrictions on how you may use the data collected and who controls review of reports or articles submitted for publication. It is your responsibility to carefully review the terms and conditions of the grant or contract award before you sign the document.

As examples, the full citation for FAR: 52.227-14 Rights in Data—General is provided in order to give the reader a clear understanding of the completeness and detail that becomes incorporated into an federal RFP or contract concerning “Rights in Data.” A second document provides examples of contract and grant language regarding Rights in Data from a Non-profit organization and a foundation. These last two examples represent actual contract/grant language.

^{ix} Joan Cassell, “Case 22:Forbidden Knowledge,” in Handbook on Ethical Issues in Anthropology, ed. Joan Cassell and Sue-Ellen Jacobs, Special Publication of the American Anthropological Association 23 (Washington, D.C.: American Anthropological Association, 1987)

^x Sydel Silverman, “Why Preserve Anthropological Records?” CoPAR Bulletin 1 (n.d.); see also the following in Sydel Silverman and Nancy J. Parezo, eds., Preserving the Anthropological Record, 2nd ed. (New York: Wenner-Gren Foundation for Anthropological Research, 1995): Victor Golla, “The Records of American Indian Linguistics”; John Van Willigen, “The Records of Applied Anthropology”; Sue E. Estroff, “The Records of Medical Anthropology”; Michael A. Little, Jane E. Buikstra, and Frank Spencer, “The Records of Biological Anthropology”; Don D. Fowler and Douglas R. Givens, “The Records of Archaeology.”

The National Science Foundation now requires prospective Principal Investigators to submit a Data Management Plan with all proposals. See National Science Foundation, “Data Management and Sharing Frequently Asked Questions.” The University of Connecticut provides helpful background about this requirement (“Why Create a Data Management Plan?”) and advice about “Writing a Data Management Plan”; further guidance and resources are available from the University of California’s DMPTool.

The National Institutes of Health requires data sharing (“NIH Data Sharing Policy”). In 1999, the Office of Management and Budget issued a revision to OMB Circular A-110, which requires that Federal agencies that award research and development dollars ensure that all data be available to the public under the requirements of the Freedom of Information Act. A discussion of the changes and the text of the revision, which went into effect in November 1999, is available at: Office of Management and Budget, “OMB Circular A-110: Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” Federal Register 64, no. 195(1999):54926-54930.

Anthropologists who pursue federal projects that result in the development of intellectual property, particularly those which generate licenses and/or patents, should be aware of the University and Small Business Patent Procedures Act, popularly known as the Bayh-Dole Act, as well as their own institutions’ policies regarding intellectual property and technology transfer. Bayh-Dole is the 1980 legislation that enabled universities to assume exclusive control over intellectual property resulting from federally-funded research and development, for the purpose of further development, transfer to industry, commercialization and provision to the public.

30 Bayh-Dole – Driving Innovation commemorates the enactment and assesses the impact of the Bayh-Dole Act. The University of California Technology Transfer Office has republished a COGR-developed overview of the history and impact of the Bayh-Dole Act: Council on Governmental Relations, “The Bayh-Dole Act: A Guide to the Law and Implementing Regulations” (1999). The National Council of University Research Administrators has published a monograph on intellectual property issues in university research: Ann M. Hammersla, A Primer on Intellectual Property (Washington, D.C.: National Council of University Research Administrators, 2006).

^{xi} David H. Price, “Anthropological Research and the Freedom of Information Act,” Cultural Anthropology Methods 9, no. 1 (1997):12-15

^{xii} Mary Elizabeth Ruwell, “The Physical Preservation of Anthropological Records” in Sydel Silverman and Nancy J. Parezo, eds., Preserving the Anthropological Record, 2nd ed. (New York: Wenner-Gren Foundation for Anthropological Research, 1995)

^{xiii} Hugh Gusterson, “What’s in a Laptop?” Anthropology Now 4, no. 1 (2012):26-31

^{xiv} For informational and instructional materials on archiving and preserving qualitative data, see the following resources: Irish Qualitative Data Archive and Tallaght West Childhood Development Initiative. “Best Practice in Archiving

Qualitative Data.” UK Data Archive. “Create and Manage Data.” Denise Thomson, Lana Bzdel, Karen Golden-Biddle, Trish Reay & Carole A. Estabrooks. “Central Questions of Anonymization: A Case Study of Secondary Use of Qualitative Data.” *FQS: Forum: Qualitative Social Research* 6(1).

^{xv} Sue-Ellen Jacobs, “Case 12: Possible Conflict of Interest,” in *Handbook on Ethical Issues in Anthropology*, ed. Joan Cassell and Sue-Ellen Jacobs, Special Publication of the American Anthropological Association 23 (Washington, D.C.: American Anthropological Association, 1987).

^{xvi} American Association of University Professors, “Statement on Professional Ethics” (2009).

^{xvii} C. K. Gunsalus, “How to Blow the Whistle and Still Have a Career Afterwards,” *Science and Engineering Ethics* 4, no. 1(1998):51-64. (back)

^{xviii} Sue-Ellen Jacobs, “Case 10: Professor Purloins Student’s Work: Her Recourse?” in *Handbook on Ethical Issues in Anthropology*, ed. Joan Cassell and Sue-Ellen Jacobs, Special Publication of the American Anthropological Association 23 (Washington, D.C.: American Anthropological Association, 1987)