New Ethical Challenges for Anthropologists

The terms 'secret research' and 'do no harm' need to be clarified

By CAROLYN FLUEHR-LOBBAN

The first code of ethics by the American Anthropological Association, adopted in 1971, was forged during the Vietnam War, years after revelations that anthropologists had engaged in counterinsurgency research in Southeast Asia. Now, in response to issues raised by the war in Iraq, it's time for a new code.

That is why the advisory committee on which I serve, the Commission on Engagement of Anthropology with the U.S. Security Community, was convened in 2006. We have been grappling with framing ethical standards for anthropological work undertaken in connection with military, defense, and intelligence agencies. Two of the key issues: secret research and our injunction to do no harm.

First, secrecy. The 1971 code rejected any research conducted in secret and strongly advised anthropologists to avoid working with government — any government. "Specifically, no secret research, no secret reports or debriefings of any kind should be agreed to or given," the code stated. After the Vietnam War was over — and as anthropological work grew outside academe, using disciplinary methods and theories to study practical problems like the health of immigrant populations or international development — the association eliminated, in 1998, the ban on government work and all reference to secret research. Its revised code of ethics simply called on researchers to "be open about the purpose(s), potential impacts, and source(s) of support for research projects." With the wars in Iraq and Afghanistan, anthropologists are again confronting the ethical implications of secrecy and working with the government agencies that may demand it.

At their 2007 annual meeting, association members passed a nonbinding resolution to restore zero tolerance for secret research. However, the executive board, working with an advisory group, has revised the old language about secret research, which forbid "any research whose results cannot be freely derived and publicly reported," because it was inadequate to present-day complexities. In September the board therefore unveiled new language that will be discussed at the annual meeting this month. The new proposal says anthropologists must be "honest and transparent with all stakeholders about the nature and intent of their research," but it does not include a blanket ban on secret research. However, the new language notes, "Deliberately misrepresenting one's research goals and impact to research subjects is a clear violation of research ethics."

Part of the reason we avoid an outright ban is that, even in agencies well known for their secrecy, like the Central Intelligence Agency, such terms as "transparency" and "disclosure" have become more common,
and secrecy less easy to define; "classified" government documents can be accessed by scholars and journalists, while truly top-secret materials deal with intelligence research rather than anthropology. Moreover, scholars may not be able to discern whether their work contains secret material when projects are compartmentalized, and when their contribution is only a segment of a project whose wider mission is unknown. In short, anthropologists who provide "subject matter expertise" may not know the direct or indirect impact of their engagement.

Even transparency may not be a sufficient guide to whether to conduct research abroad, particularly in places where America's image has been damaged and trust in it undermined. Many anthropologists, myself included, report being thought of as spies, irrespective of their open presentation of themselves, their research objectives and methods, and sources of funds. As a result, despite improvements in our code, in practice the years ahead may witness anthropologists increasingly selecting countries "friendly" to Americans, or conducting research among internationals based in the United States or in the West.

A second question complicating contemporary statements about ethics and national-security research is, what does "do no harm" mean? In its 1998 code, the anthropology association added a generic call "to avoid harm or wrong" to its core principles. Similarly, our 2007 report to the executive committee advised anthropologists to "make sure" their work results in no direct or indirect harm to the people studied. That is a difficult, perhaps impossible, determination to make in any circumstances, much less those today. To be sure, widespread agreement exists that harm occurs when one human being causes another death, pain, disability, or loss of freedom or pleasure.

But what does that mean in practice? Anthropologists have been deployed to Iraq and Afghanistan as part of Human Terrain Teams embedded with combat troops. Part of the work they do unquestionably causes harm to some people — but it may prevent harm to others. In addition, we know so little about what the teams do, or the projects they are part of, that objective evaluation is impossible at present.

The executive board of the association has therefore asked scholars not to participate in the Human Terrain Teams, arguing that doing so contradicts the essence of anthropological methods that are based on building long-term relationships of trust and that it involves participating in military intelligence. Moreover, several social scientists have been killed in these operations. It is thus unlikely that this form of engagement will expand in anthropology. In fact, a moral view may develop within the profession that ethical conduct by anthropologists who work with the military occurs only when they are deployed in operations where the intent of the mission is to save lives.

Given how confusing the issues have become, it may be useful to consider a conflict that has generated moral outrage in the West and where military intervention is not by the United States, but by African nations. In the case of Darfur, amid allegations of genocide and ethnic cleansing, the African Union, assisted by the United Nations, has deployed an armed peacekeeping force. At 7,000, it is inadequate to its task, while promised Western and U.S. material support has not been provided.

Humanitarian-aid organizations are active in the region, and Western and Sudanese anthropologists employed by them must work within the purview of their agendas: human rights, religious, or other. When they deal with rape victims in Darfur, that poses a problem. The Western requirement that a rape must be documented with testimony clashes with the local cultural norm of keeping secret such incidents, as exposure can lead to further violence and harm: the "honor" killing of the victim by her male kin and/or the necessity of violent retribution against the perpetrators and their kin. A powerful, well-intentioned nongovernmental organization may inadvertently increase harm, while striving to lessen it. On the other
hand, armed military units, often seen as causing harm, may in fact offer more real protection to potential rape victims and lessen harm in the course of their engagement. Thus harm is not an absolute concept; it is subject to cultural context. Anthropologists make excellent brokers in such delicate environments, helping interpret and debate the issues with the people being studied.

To help anthropologists as they negotiate these waters, last year, in the final report on the first phase of our commission on engagement with national-security research, we called on the American Anthropological Association to sharpen guidelines for informed consent, transparency, and applying its "do no harm" admonition. The best course, we believe, is to stress that the mission, methods, and likely outcomes of any project are key to ethical decision making. Before deciding to engage in a government or nongovernment project in which anthropological knowledge plays a large, or a small, part, ethically conscious anthropologists should:

- Seek information that enables them to evaluate the overall mission of the project in terms of doing no harm. For example, what are the ethical implications of a mission in Iraq or Afghanistan where the people studied are referred to as "the enemy"? Can informed consent be obtained? If not, is the justification for omitting it sufficient?

- Review the project's methods in terms of the risk of potential harm. Will the methods used cause psychological harm, physical disability, loss of life? What ethnic, religious, gender, or other issues will be complicated?

- Be assured that adequate, objective review of the project has been conducted, ideally by external reviewers.

We must also clarify the 1971 code's statement that anthropologists' "paramount responsibility is to those they study." One approach would be to say that primary, direct harm is that which affects "the people studied," including projects removed from direct fieldwork contact. When considering engagement with the U.S. security community, anthropologists should consider, first, how the people studied are affected. Attention should be drawn to vulnerable populations who are not specifically mentioned in any anthropological code of ethics, like refugees or internally displaced persons — especially women and children — who feel the effects of war and chronic conflict. It should also be directed to victims of human-rights violations, and their defenders, and to indigenous peoples.

Protecting such people is straightforward when they have been informed of the risks and have requested protection. For example, if a woman who has been raped asks for anonymity, few scholars would consider it ethical to refuse her. Further, respecting the autonomy of people studied, including their right not to be studied and to ask scholars to avoid research on certain subjects — such as recruitment of religious militants or counterinsurgents — must be respected in the ethical conduct of research. Indeed, anthropologists may have to give up freedom in research out of their paramount responsibility to the people studied.

There is disagreement, however, about whether anthropologists should advocate on behalf of people who do not ask for protection. I believe that such advocacy is a moral choice, but not an ethical responsibility. The anthropology code of ethics is meant to educate professionals, not legislate their actions in their wider role as citizens, members of a particular religious group, or other nonprofessional capacity. The present anthropology code reflects that difference: "Anthropologists may choose to move beyond disseminating research results to a position of advocacy. This is an individual decision, but not an ethical responsibility."
Another consistent feature of anthropologists' codes of ethics has been to specify that professionals bear responsibility for the integrity and good reputation of their discipline. Anthropology's last crisis over ethics was triggered by publication of the book *Darkness in El Dorado: How Scientists and Journalists Devastated the Amazon* (Norton, 2000), by the investigative journalist Patrick Tierney. He alleged that an anthropologist, Napoleon A. Chagnon, had failed to intervene and vaccinate a vulnerable Amazonian indigenous people, the Yanomami, who were in the midst of a measles epidemic. That allegation was not proved. After years of heated debate, resolutions, and counterresolutions, the controversy ended focused more on the alleged harm to the reputations of the scientists than harm done to the Yanomami.

Secondary harm could encompass that damage. If an anthropologist is engaged in military or intelligence research, after considering the primary harm to subjects, she might also consider whether the reputation of the discipline (for example, an emerging view among the public that research for the military is suspect) is at stake.

Another issue, the balance between universal human rights and cultural relativism in regard to military and national security, is as yet unexplored terrain. National security presumes placing the primacy of the culture of one's nation over others. Cultural relativism rejects that notion, positing that anthropologists may act with a sense of great responsibility for the culture(s) of the people they study, even greater than to their own cultures.

When cultural traditions are deemed "harmful" by international human-rights standards — for example, when many countries ban female circumcision, domestic violence, or the use of culture to justify violence against others — the balance between human rights and cultural relativism may seem clear. However, where detection of potential harm is more nuanced — as in the issue of secrecy in Darfur — it may be wise to consult with other professionals and with cultural agents at the field site. Reasonable, impartial persons from different cultural backgrounds would likely agree what projects, methods, and outcomes have the potential for causing harm, or for lessening it, when the specific cultural context is considered.

Ideally, decision making occurs in a group process where the relevant disciplinary, cultural, and government-agency stakeholders are at the table. Professional ethical lines for military research could be more clearly defined through a process of communication, where a road map for military and national-security engagement, or nonengagement, would be developed. Consultation with professionals in related disciplines who have been grappling with issues of engagement — for example, psychologists who have debated their role in identifying what would constitute "soft torture" and their alleged involvement in interrogations in Abu Ghraib and Guantánamo — is also recommended, as well as with those who have been historically engaged without serious controversy — for example, political scientists working as consultants on terrorism for defense and intelligence agencies.

Perhaps the best advice will come from one's own disciplinary colleagues. To that end, a group, "Friends of the Committee on Ethics," may be set up to offer informal, private advice about research ethics. As we think through the various issues that secrecy and doing no harm demand of us, such a committee will have an important role to play in helping define increasingly complex anthropological practice.

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