

## MEMO

**To: APSA Executive Committee, Spring 2019 Meeting**

**From: APSA Committee on Professional Ethics, Rights, and Freedoms**

**Re: Comments and Feedback from the APSA Committee on Professional Ethics, Rights and Freedom of the Ad Hoc Committee on Human Subjects Research**

**Date: June 19, 2019**

The APSA Committee on Professional Ethics, Rights and Freedoms (the Ethics Committee), chaired by Alison Renteln, reviewed the Ad Hoc Report on Human Subjects Research. During the committee's spring meeting/conference call on June 3<sup>rd</sup> at APSA, the committee discussed the report in detail. Some committee members supplied written comments in addition to presenting their feedback during the spring meeting (those written comments are included in the appendix below on p.5). Overall, the Ethics Committee found this report to be very well written and comprehensive. The committee would like to commend the co-chairs and members of the Ad Hoc Committee; they have accomplished an incredible amount of work. Below, please find the Ethics Committee's broad recommendations and detailed comments for suggested edits to the draft report.

### **I. Broad Recommendations for the Overall Report**

A. The Ethics committee questioned the rationale for having two distinct documents, which requires readers to toggle back and forth if they wish to see the detailed descriptions listed in the Guidance document. Thus, the committee asks the ad hoc committee to consider including hyperlinks to the relevant Guidance section, into the Principles document. Alternatively, the committee recommends that the full Guidance document – which includes the Principles – stand in place of the Principles document). In other words, the recommendation is that the two documents be brought together and include precise descriptions of key terms.

B. The Ethics Committee feels that the section on "Issues for Further Consideration", pp. 4-5, includes important topics that fall within the Ad Hoc Committee's original charge. Given that these points are not fully addressed in the current Principles or Guidance sections, the Ethics Committee agrees with the Ad Hoc committee's recommendation that the APSA Council seek to address these points and considerations in future revisions/updates of the principles and guidance documents.

C. The Ethics Committee is divided regarding the merit of presenting this report to the full membership for a vote on the adoption of these principles (see p. 4 of the opening report). Among those members who do not favor a vote, a subset favor having a membership vote on the entire revised Ethics Guide, including an updated section on human rights (section H of the Ethics Guide), that incorporates the contents of this report. There is agreement, however, that even if there is not a vote, the council should provide a comment period during which members can offer feedback or ask questions.

D. On p.3 of the report's opening section, the Guidance Section is referred to as a "living document", but the Principles are not. How can this be? The Ad hoc committee may wish to reword or provide further explanation as to whether there could be changes to the Principles section as well.

## **II. Detailed Comments and Suggested Edits**

1. Section 1: Under General Principles: "Autonomy" needs clarification throughout the document. The use of the term autonomy appears in a few passages and has differing meanings. As it is not self-evident, the Ethics committee recommends clarifying the use of the term.
2. Section 3e: document should discuss potentiality of fabrication (*See also response from Gibson point #2 in the Appendix below*)
3. Section 4: The fourth general principle "Legality" involves complicated legal questions. It is incomplete in its present form. The committee requests clarification of terminology. This could be handled either in text, endnotes, or a glossary.
4. Section 7b: The language should be inclusive. It is inadvisable to separate physical and psychological harms, social and economic risks, from other types of harms. Change principle to read as follows: *"When assessing possible harms, researchers should not limit their concern to physical and psychological risks to the participant. Researchers should also recognize social and economic harms; harms to other parties affected by the research, and harms to research assistants and staff (see guidance)". (See also response from Deborah Yashar in the Appendix below)*
5. Section 8a and 8b: Need clarification regarding the object of guidance (to whom does this apply) and the difference between 8a and 8b. Also, In Section 8 a/b the term "retraumatization" is used repeatedly. Is it a word? The meaning is unclear. This section needs editing to avoid redundancy. The committee suggests providing guidance as to what constitutes "excessive" traumatization. (*See below response from Deborah Yashar*)
6. Section 9a: "Confidentiality" requires elaboration. Also, include reference to the legal requirement and faculty/staff responsibilities that come with Title IX reporting on college and university campus and how those requirements and responsibilities might impact the ability of a researcher to maintain confidentiality promises to a subject or subjects. (*See below for Gibson response #1*).
7. Section 10a and 10b: Needs justification and further explanation regarding allowable "minimum harm" and "public officials" –especially if the principles and guidance remain as separate documents. What constitutes "minimum harm"? (*See response from Deborah Yashar*)
8. Section 11b: "Consent of directly affected parties" –needs clarification in principles and the language in the guidance section is unclear. What is meant by "directly affected"? The text should offer guidance as to its scope of application. Additional points and questions to consider:

- a) Should anything ever impact the integrity of the democratic process?
  - b) Some research that may result in higher turnout rates (greater small-d democracy) may be perceived as being partisan, even though it is not. Or it may have the effect of inadvertently resulting in higher turnout for one party over another. To safeguard against prohibiting studies that may result in greater small-d democratic participation being rejected, it may be necessary to add additional clarifying language. Possible new language to consider: *“experiments that have overt partisan benefits are not acceptable”*.
  - c) Consider adding statement that research data should be displayed in an unbiased, neutral and apolitical way. (see also attached Gibson response #3)
  - d) Who decides whether the research is justified? The IRB? The researcher? etc.
  - e) This section raises issues regarding deception of subjects (as discussed in section 5).
  - f) *(See response from Deborah Yashar)*
9. On p. 5, Section 13. b. of the Principles, under “Shared Responsibility”, which deals with graduate programs, is there a model training for graduate programs on conducting ethical research?
10. Re: Issues for Further Consideration (p. 4 of opening report).
- a. The ethics committee agrees with points 1 (regarding third party actors) and 2 (regarding the need for definitions of minimal, direct and indirect harm) (on pp. 4-5). “Harm” is discussed in the Principles and Guidance document. Perhaps definitions of these terms can be added.
  - b. Re: Point 3 on risk and benefit ratio: The committee considers this point to be open to discussion and debate. For example: How can we know the benefits? What are possible benefits? Are there existing sections of the Guidance or Principles documents that address this point? This section needs clarification and perhaps should be included in main documents.
11. Guidance document
- a. Section 9, p.8: Regarding Data Sharing and Possible Breach of Confidentiality
    - i. One committee member felt that there should be an obligation for journal editors and reviewers to share/weigh the costs and benefits of reproducibility and protecting subjects’ confidentiality. In the current document, all of the demand and burden is on the researcher (see the second to last paragraph: “the researcher bears sole responsibility...”). Possible new language: *“Editors need to respect the decision of the authors when it comes to confidentiality and concerns about protecting human subjects”*.
    - ii. One committee member disagrees with the aforementioned change to the current language.

- b. Section 10 on “Power”, pp. 9-11: Regarding “Autonomy”: the mention and description of autonomy in general Principle #1 is distinct from its usage in point 10 (the section on “Power”). These points need clarification and further explanation.
- c. Section 12, b: In the “Prospective Review” section it states researchers should contact the Ethics Committee if they are asked or required to engage in unethical behavior. The committee does not agree that the Ethics committee should be implicated as a party to this process or as an investigatory or adjudicative body. It is unclear whether any APSA body would have any standing in this process.

*Please send any questions or comments regarding this committee response to the attention of the committee chair, Alison Renteln, or APSA staff member, Kimberly Mealy ([ethics@apsanet.org](mailto:ethics@apsanet.org)).*