

## Informed Consent in Field Research

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This article will explore ethical issues related to the concept of informed consent in field research. I will use two experiences from my own fieldwork in Nepal, which was conducted in June and July of 2006. I was in Nepal to gather data for my master thesis, which deals with the decision of the Maoist insurgents in Nepal to join the peace process. In July 2006 I travelled around the countryside in Nepal to interview a platoon from the Maoist's 'People's Liberation Army'. I presented myself as a journalist out to do a case on the peace process. I will use the experiences from this trip to argue that there are no easy answers to the question of ethical research practice. Rather, ethical research practice should be seen as a continuous negotiation between ethical guidelines on one side, and the reality on the ground on the other side.

### **First Example – Travelling as a Journalist**

In Nepal I travelled the countryside with an interpreter, while introducing myself as a journalist. I had a set of press cards that said I was a “freelance Asia-correspondent”. These had been made before departure from Kathmandu on advice from an Indian journalist. Pretending to be a journalist was not a conscious strategy from the beginning, but was done because I was writing an article I hoped to sell to the Norwegian newspaper *Aftenposten*. It was clear to me that presenting myself as a journalist allowed me more access than I otherwise would have gained. The cards convinced the Maoists I met with that I was a journalist out to make a story on their movement, which was actually true at the time. The purpose of the trip was to get pictures and interviews for an article for sale to a newspaper in Norway. When I arrived at the Maoist information office in the district of Dhading in Nepal, I explained my journalistic motives, and the Maoists agreed to take my interpreter and me with them for two days on what they called their *Public Awareness Program*. This was a campaign where Maoist soldiers travelled around the countryside to help the farmers plant rice, while they at the same time promoted their political views and explained why it was necessary that Nepal became a republic.

I doubt that the Maoist cadres would have gone through the trouble of having my interpreter and me with them for two days and providing us with food and lodging during the whole time had I not presented myself as a journalist. During the trip I got to meet and talk to a troop of 30 PLA soldiers, as well as discuss the political situation for several hours with Siber, a member of the regional bureau, and Lama, the political commissar of the troop. This was an interesting experience, and different from the other interviews I did during my fieldwork. The fact that I found it interesting does not in itself make for ethical research practice.

### **Is This Informed Consent?**

There are several problems with the approach

I used in the abovementioned example - all linked to the concept of informed consent, which is defined this way by Anne Ryen:

*“Informed consent [...] means that research subjects have the right to know that they are being researched, the right to be informed about the nature of the research and the right to withdraw at any time... In general, deception is only acceptable if discomfort is believed to vanish by itself or removed by a debriefing process after the study”<sup>66</sup>*

During my trip to the countryside where I presented myself as a journalist, the people I interviewed were not informed about the nature of my research, nor were they aware that they were being researched. Instead, they were under the belief that they were being interviewed for a newspaper article. As mentioned, this was also my belief at the time, but the question of ethical research practice became very relevant when I returned from the field and wondered whether it would be ok to use the data from my trip in my thesis. Instinctively, one would perhaps say that the data gained on the journalist trip should not be used, as they were gained without the proper informed consent. The informants were aware of the fact that the information was intended for publication, but they were not informed about the fact that I was doing research for my master thesis.

On the other hand, one needs to weigh the consequences of using the data against the consequences of not using it. The consequences for the informants of me using the information in my thesis would be minimal. The identities of the informants are impossible for an outsider to trace, and I cannot see how the information I obtained can put the informants in danger if it were to be published. In other words, there are few foreseeable negative consequences for the informants if I should publish the data. But does that mean that it is ethically defensible to do so? To answer this question, it is necessary to take a closer look at my intentions at the time.

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<sup>66</sup> As quoted in; Silverman, David. *Interpreting Qualitative Data*. London: Sage 2006. p 326

Since my intention at the time I was presenting myself as a journalist actually was to write a journalistic article, one could argue that I did nothing wrong. Furthermore, the Maoists' consent to the information being published in a newspaper could be used to defend using it in my thesis. The episode would then be viewed as an example of how field practice is made up of strange incidents that are difficult to define and relate to ethical guidelines. The use of the data could be defended by looking at the consequences of publication in my thesis, with the fact in mind that the data was already gathered and would not be published elsewhere. Since *Aftenposten* decided not to buy my article after all, the Maoists would at least get some publicity if I published the data. This way of defending the use of the data rests on the assumption that the way I gathered it was a curious incident, for which there are no given rules, and because of that, one must judge from case to case, based on what intentions the data were gathered under.

On the other hand, if one uses this episode as an example of how ethical research should be conducted, one will very soon be in danger of not conducting ethical research. The argument for publishing the data rests on the assumption that one needs to evaluate episodes from case to case, not that it is acceptable to publish data gained without proper informed consent. Publication of the data is defensible since it is already gathered, and since the consequences for the informants are minimal. It is not defensible to intentionally set out for the field as a journalist to deceive informants into granting access to areas that one would otherwise not have access to. This would be intentionally breaking the guidelines of informed consent, and could potentially get both future researchers and informants in trouble. Moreover, in the long run such activity could tarnish the image of social scientists in general, and making it even harder to gain access.

To sum up, we can say that using data already gained by questionable methods can in some cases be defended. But we need to be honest about our intentions. The intentions at the time of committing a given action

are important because what we think about ethical research practice decides how we will conduct research in the future. If we think it is ok to deceive informants to get information, we will most likely do it again, and thus break the rule of informed consent. If the rule already has been broken, unintentionally, it might still be defensible to use the data. In such a scenario, one has to carefully evaluate the consequences for the informants of the data being published, and at the same time be conscious and explicit about how the data was gathered. The key term in this example is consequence, for the informants, as well as the potential consequences for future research by failing to problematize the way we conduct field research. Consequences are also a key term for the next example, taken from the same fieldwork.

#### **Second Example - Interviewing the Oppressed**

When I met with the Maoist platoon in rural Nepal, I got the chance to interview both the leaders and the soldiers. The issue of informed consent in relation to interviewing the platoon as a whole has already been discussed at some length, but what also is interesting to look at are the social relations within the platoon, and to relate them to the concept of informed consent.

When I interviewed the soldiers their leaders stood by them, and it seemed to me that they were instructed pretty clearly on what to tell the journalist (me). When I took their picture, the leaders also instructed them on how to stand and how to hold their weapons properly. It appeared to me that the leaders held a great degree of power over the soldiers. I also suspect that the soldiers did not have much choice regarding whether or not they wanted to be interviewed by me. This observation is connected to a notion of social structures both within Nepali society and in the context of a guerrilla army platoon where obedience and respect for one's commanders are important values. Caste was undoubtedly a factor also. The leaders were from the warrior caste and the soldier I interviewed was a Dalit, (an untouchable.) The Dalits are a people suffering the most from the caste

system, and they are looked down upon by the higher castes. There were clearly social structures at work that gave the soldiers no choice but to be interviewed by me since the leaders had decided that it was beneficial for the cause. In other words, I did not have the proper informed consent from the soldiers. What would be the ethical course of action in this situation?

What I could have done was to refuse to interview the soldiers. Then I would not have broken any formal ethical guidelines or interviewed anyone against their will. But I think this would not have helped the situation. Rather, it could have created a feeling among the soldiers that they were not “good enough” to be interviewed by the journalist, and thus reinforced the structural repression that created the situation in the first place. If I chose only to interview the leaders, it could very well be interpreted as an example of how only members of the warrior caste were good enough, while the Dalits were not interesting or smart enough to be interviewed. It would also have created an awkward social situation, which might have led to me losing respect among both the Maoist leaders and the soldiers. It could also have been perceived as a refusal of the hospitality offered to me by the Maoists. In other words, there were several potential social pitfalls connected to refusing to interview the soldiers.

I could have chosen to interview the soldiers and not used the data from the interviews in my thesis. Having taken this course of action would have meant avoiding an awkward situation while at the same time not using data that other researchers might argue had been gained in an ethically questionable manner. But this is to simplify the interview as a source of data for the researcher. It is possible to not use the transcripts from what is said in the interview, but it is not possible to shut out the interview experience entirely. The researcher uses all his senses to register his surroundings, and images and impressions of people play a part in forming the researchers’ interpretation of an experience. To believe that the interviews with the soldiers would play no

part in the research process if I decided not to use the transcripts is to view the researcher as a machine, and not a human being.

The issue of using the transcripts should also be put under closer scrutiny. Would it be ethically justifiable to use the transcript in my research? The easy answer is of course to say no, on the grounds that there is no informed consent. In fact, one could even argue that the transcripts are a result of a situation of oppression, since the soldiers had no choice about whether they wanted to be interviewed or not. On the other hand, not using the data will not do anything with the oppression the incident was an expression of. It would just make it less visible by not showing it.

What I see as important in this situation was the fact that there were social structures at work that clearly placed some people above other people in the social ladder. The leaders of the platoon had a large degree of power over the lives of the soldiers. Of course, this is probably the reality in a lot of conflict areas, and it can be argued that oppressive social structures are necessary for an efficient military organization. But that is not to say that one should not speak out about them. The important thing to me is that oppression took place in front of me and, in a way I also participated in this oppression. If I had refused to report it, or refused to do the interview, the oppressive structures would still have been there. Indeed, the situation I was in when conducting the interviews was just one expression of the structure. Because of this, I think it is important to report these structures upon encountering them.

Galtung states: “Without values, peace studies becomes social studies in general and world studies in particular<sup>67</sup>” In my view, values are a prerequisite for doing research in an ethical way. Without values, the ethical guidelines become an end in itself, when they should rather be seen as a tool for achieving what is important, namely ethical practice. According to my values, it is not right to refrain from reporting oppression because one needs to protect the interview subject from the researcher. It is more important to

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67 Galtung, Johan. *Peace by Peaceful means*. Oslo: Prio 1996. p.13

acknowledge that there exists an oppressive social structure and to inform people about it. Preventing the social structure from manifesting itself by refusing to interview the soldiers would not have made it go away. The researcher would just not have witnessed it. This argument is based on my conclusion that there are no negative consequences for the soldiers connected to me if I should chose to use the data in my thesis. It is an argument for peace researchers to remember that values play a part in the craft of doing peace research. The researcher should never forget that he is not only an observer of the world, but he is also a participant in it. This is not to say that this is valid under all circumstances, rather it is position on what the ethical thing to do in this particular situation was.

### **Conclusion**

The most important insight my experiences from the field research in Nepal gave me was that there are, as Silverman<sup>68</sup> points out, no hard and fast solutions to ethical research practice. Rather, ethical research practice should be understood as a continuous negotiation between ethical guidelines on one side, and the reality in the field on the other. When one is doing research in the world (as opposed to on it, from inside a laboratory) one will find oneself in a lot of unique situations for which there are no clear answers about what is the right thing to do. The researcher is often forced to choose a course of action without checking the ethics textbook. In these cases it is important that we ask ourselves what is the right thing to do, and why. Ethical guidelines for research practice are necessary, but they are not a goal in themselves. The goal is ethical research practice. And as a tool in achieving ethical research practice, the guidelines are important. To form guidelines it is necessary to have an informed debate on these issues, and the condition for such a debate is explicitness about one's own field practice. It is through informed debate and discussion that the guidelines can be developed further, and this can in turn lead to an increased awareness about the role of the researcher in

the field. The debate will not necessarily come up with the right answers, but it will make it much more likely that the right questions are being asked.

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<sup>68</sup> Silverman, David. *Doing Qualitative Research*. London: Sage 2005.

