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Etiske retningslinjer for forskning på Internett To innspill fra Institutt for medier og kommunikasjon, UiO:

1) Fra Niamh Ní Bhroin, IMK/UIO
n.n.bhroin@media.uio.no

In general, I welcome the proposed revised guidelines. As an Internet researcher, I found the former guidelines out-dated and difficult to implement in practice. For this reason, I think that when developing and formulating new guidelines, care needs to be taken to ensure their relevance and applicability, particularly with regard to the extent to which they reflect current research practice.

In providing feedback, I have chosen to focus specifically on two related aspects of the guidelines. These are ‘Informert og fritt samtykke’ and ‘Hensynet til tredjepart’.

‘Informert og fritt samtykke’

The revised guidelines propose wording that is in line with current regulatory and ethical practice in terms of the requirement to secure the informed consent of research participants. While this should be welcomed, it also raises some specific challenges in terms of the extent to which it reflects the implementation of research in practice.

When researching online, we encounter networked contexts. These include networks of people that are mediated through particular devices (computers, smart phones, routers, Internet Service Providers, etc.). This differs radically from research that is undertaken ‘offline’, or in physical spaces, where access to research contexts can be relatively clearly defined and delimited – i.e. the focus of research might be an individual or group in a specific location(s) or organisation(s). Consequently informed consent to research participation can be reasonably defined, negotiated and secured.

In the networked contexts that Internet research presents, defining a research context, and defining and negotiating informed consent from potential participants becomes infinitely more complicated. It becomes difficult, if not impossible, to separate an individual from the networked contexts in which they interact. Although a researcher may be interested in one, or a limited number of participants, determining in advance precisely who might enter the research context, by which means (or device), and to what extent, becomes practically impossible.

The revised guidelines in their proposed form highlight some dilemmas that an Internet researcher might encounter, related to the open declaration of participant observation, the fleeting nature of participation in networked contexts, and the limited potential to determine the identity of these participants. I think greater care needs to be taken to theoretically conceptualise and articulate the networked contexts in which Internet research occurs, and the ways in which this in turn complicates the legislative and ethical requirement to secure the informed consent of potential participants.

‘Hensynet til tredjepart’

A related challenge arises when considering the involvement of ‘third parties’ in research. A third party, as operationally defined in the proposed revised guidelines, is either directly or indirectly a part of the participant or empirical basis of a research project. The guidelines point to the requirement to balance regard for such third parties with the critical and truthful objectives of research.

I find this definition of a third party to be valid and understandable in a traditional research context, but problematic when considering and implementing Internet research. This is precisely because the relationship between a researcher and these potential third parties is dynamic and may evolve throughout the process. I think the dynamic nature of this relationship should be more clearly articulated.

In my own research, I have found it useful to categorise and differentiate between ‘core’ and ‘ancillary’ research participants, and to track the evolution of my

relationship to ‘ancillary’ participants throughout the research process. I define core participants as those that fall clearly within the interest and scope of the research project.

I maintain that it is ethically essential to obtain the informed consent of core participants in advance of analysing their personal data. Ancillary participants are present in the research context (either directly or indirectly), but outside of its scope. Monitoring the dynamic nature of my relationship to these participants enabled me to determine at which stage they might become the focus of the research project. Were this to occur, they would either need to become ‘core participants’ or be excluded from the research project. This implies that I would need to seek their informed consent in advance of analysing their personal data.

Finally, I wish to make a recommendation about the practical application of these guidelines. The proposed document states that: ‘I noen tilfeller kan disse problemene med å innhente samtykke tilsi at forskeren bør avholde seg fra å forske på forumet’.

Instead of this rather discouraging and absolute phrasing, I would suggest that NESH highlight the dynamic and evolving nature of the ethical dilemmas that relate to Internet research. I would further recommend the establishment of a repository where decisions relating to the real and practical dilemmas encountered by researchers could be stored and reviewed as case studies. This repository could be promoted in the revised guidelines, as a resource where researchers could access and seek guidance about the challenges they face and the potential ways in which they can be resolved. This model has been implemented by the Association of Internet Researchers, and their repository is available at: <http://ethics.aoir.org/index.php?title=Resources-url>.

Fra:

Anders Oluf Larsson, Institutt for medier og kommunikasjon,
UiO

a.o.larsson@media.uio.no

(sidehenvisningene viser til forslaget til retningslinjer)

Några kommentarer:

Sida 5:

"Andre kan være innforstått med at informasjonen er offentlig, men samtidig ha sterke reservasjoner mot at informasjonen blir brukt av andre i nye sammenhenger og kontekster, slik som i forskning."

- mærkelig formulering - forutsätter den "material som är avsett för forskning"? Finns sådant material?

Sida 5:

"Forskere har et særlig ansvar for å ivareta de studerte personenes integritet, og i mange situasjoner vil det være verdifullt å ta hensyn til «kontekstens integritet»: Konteksten hvor informasjon eller kommunikasjon finner sted er viktig i vurderingen av hva som er privat og offentlig"

- bra avgränsning - sammanhanget, exempelvis en hashtagbaserad diskussion på twitter. men: på Facebook? Men: vad handlar diskussionerna om? ex. politisk diskussion vs pro-ana - vad kan anses vara mer känsligt?

Sida 5:

"hvor offentlighetsgraden og evnen til å stille inn personverninnstillinger og publisering av lokasjonsdata er varierende blant brukere"

- jag kan väl då önska att man tog med formuleringar kring användares "valda" öppenhet - ex via hashtags.

Sida 6:

"I tilfeller der det er nødvendig å innhente samtykke, stiller disse praktiske problemene krav til planlegging av forskningen."

- formuleringarna kring samtycke rör sig väldigt mkt kring forskning som kan s a s planeras i förväg - man ska undersöka ett existerande internetforum eller liknande, och kontaktar de som deltar där. Men hur ska man utforma sådant här om forskningen sker på material "post-hoc"? Exemplet med Twitter: man kan inte veta på förhand

hur många som ska delta inom ramen för en viss hashtag... och det blir absurd att försöka hämta in samtycke från dem i efterhand.