CHAPTER 4

COVERT RESEARCH ETHICS

Marco Marzano

ABSTRACT

Covert research has a mixed reputation within the scientific community. Some are unsure of its moral worth, others would proscribe it entirely. This reputation stems largely from a lack of knowledge about the reasons for choosing the covert method. In this chapter, these reasons will be reconstructed in detail and all the elements that will allow one to judge the level of ethicality of covert research will be laid out for the reader. In particular, the chapter will answer the following questions: What harms can result from covert research to the subjects participating in the research? Is covert research necessarily deceptive? In which cases is it ethically permissible for a researcher to deceive? What is the scientific added value of the covert research, that is, what does covert research discover that overt research does not? What are the risks to researchers acting undercover? Finally, some suggestions will be offered to research ethics reviewers to help in their appraisal of covert research.

Covert research is clearly not to everyone's analytic taste but the commitment is to explore different and creative ways of constructing ethnographic narratives. The covert ethnographic role can be a deeply artful one that offers a way to form intimate insider accounts about a wide range of topics. It should become a more standard part of the ethnographic

craft (Atkinson, 2015) rather than be outcast as a methodological pariah. In certain forms of autoethnography, online lurking within cyber ethnography and bystander observations of public behaviours, there seems to be a growing appetite for covert research, although it is certainly not becoming mainstream. There remains a classic fear and fascination about covert research. (Calvey, 2019, p. 259)

INTRODUCTION

Covert research – research which is done without informing those involved (i.e. the 'subjects' of research) – has been labouring under a negative reputation in the academic community for some decades (Barnes, 1963; Calvey, 2017; Erikson, 1966; Herrera, 1999; Homan, 1980; Shils, 1982; Warwick, 1982). The origin of the disgrace into which covert research has fallen, after a long period of grace,[1] is to be sought in the fact that it is seen as extremely ethically and morally dubious. This suspicion of the perceived dangers of covert research is shared by both the members of many research ethics review committees (RECs) or institutional review boards (IRBs) which promote a rigorous code of ethics, believing that it violates many of the rights of those being studied in an unacceptable way, and many scholars, especially sociologists and anthropologists, who have done various forms of collaborative research over recent years. These latter believe that covert research does incalculable damage to the pact between researchers and those they study that they have taken such care to construct (Christians, 2000; Denzin, 1997; Guba & Lincoln, 1989; Noddings, 2003). These attitudes as a whole have led to the complete marginalisation of covert research, with many RECs and IRBs beginning to ban it in all circumstances and many researchers having stopped doing it altogether. Today covert research is a method used, with some difficulty, by a markedly limited number of researchers (Calvey, 2017).

I would argue that this is a highly negative development in academic terms and that the stigmatising of covert research on ethical grounds is excessive and unjust. In this chapter, I will argue that there are many reasons why covert research can be considered ethically acceptable. I will abstain from listing the accusations traditionally levelled at covert research[2] as these are extremely well known and I focus instead on the motives which have, both implicitly and explicitly, been marshalled in support of this research method.

In general, I believe that it is possible to distinguish between two overall approaches to the defence of covert research, one moderate and one radical. These two perspectives reflect different visions of research ethics, the duties of researchers and the rights of those involved particularly in social science research. I will illustrate both perspectives, starting from the moderate approach. But first I should clarify that my thinking will refer primarily to qualitative research (Hammersley, 2020) and not other forms of research (such as experiments), and focus on work in sociology and social psychology and, to a lesser extent, anthropology.

THE MODERATE DEFENCE OF THE GROUNDS FOR COVERT RESEARCH

The moderate approach to covert research has certainly been the most widespread of the two approaches within the social science community (Calvey, 2008; Lugosi, 2006; Perez, 2019; Roulet, Gill, Stenger, & Gill, 2017; Spicker, 2011).

The exponents of this approach do not invoke total researcher freedom calling for an end to all forms of ethics regulation. Quite the contrary, they assert that, if done in a certain way, covert research can and must be considered compatible with the ethics standards currently prevalent in the academic community. This approach might even be called 'reformist', as its objective is to bring certain types of covert research into the legitimate and recognised methods fold and demonstrate its compatibility with overt methods.

To this end, the moderates or reformers have put forward the following arguments:

Lying Must Be an Exception

In the first place the 'reformers' argue that lying is not to be considered a 'normal', natural part of social sciences research and that, where possible, researchers must behave honestly and make participants aware of the real reason for their presence in the field. This is especially the case where research is on vulnerable or fragile people. And in any case social scientists should be called on to justify their ethical behaviour and field work choices before ethics committees or, in the absence of these, in the sections of their articles dealing with methodology and ethics (Lugosi, 2006).

Overt and Covert Research Are Not Clearly Distinguishable

Reiterating this point, that is, that intentional and blatant lying cannot be tolerated as a normal research method (Spicker, 2011), the moderate defenders of covert research argue that a situation in which the subjects of research are truly fully informed and aware of a researcher's purposes and intentions is closer to myth than to real life (Fine, 1993; Fine & Shulman, 2009). From this perspective, it is argued, covert and overt research cannot be seen as easily identifiable and distinguishable entities (Calvey, 2017; McKenzie 2009)) and even in the best overt research there are inevitably many opaque elements, ambiguities and a lack of transparency and clarity. In this respect, the informed consent practices now widespread do not avert doubt and confusion (Marzano, 2012; Traianou & Hammersley, 2020) and would frequently seem, beyond significantly limiting research freedom, to serve more to defend the interests and reputation of academic institutions than to protect the people studied (Hedgecoe, 2016; Murphy & Dingwall, 2007; Van den Hoonard, 2011).

Informing Subjects Is Sometimes Really Impossible

Sometimes it is a research location which determines whether or not research work can be performed in a fully open way (Lugosi, 2006; Spicker, 2011). This is

the case of ethnographic work done in public places such as town squares, open air markets, football stadiums and so on. In such situations, it is obviously impossible for ethnographers to inform everyone they meet of the fact that research is underway (Traianou & Hammersley, 2020). In any case, those going to public places know that they are exposing themselves to the public gaze and thus any social analysts that could be present.[3] This is also true of those lacking private spaces and living permanently in public places (such as the homeless people studied by Perez, 2019).

Informed Consent Can Never Cover Everything That Happens in the Field

A further element rendering much research at least partially covert is the fact that isolating research from other contexts can be an extremely complex matter and much of researchers' most significant information is acquired in the field in informal, random conversations in corridors, exchanges of opinion and friendly chats on the margins of formal interviews. What could researchers do about this? Shed all information acquired in this context? Should such valuable information regarding an understanding of, say, an organisational culture really be thrown away solely because it has been sourced from ordinary human conversations outside a research protocol formally approved by an ethics committee? Not to speak of all those behaviours which researchers put into practice in their contacts with those they study designed to manage impressions or rather improve their reputations in the eyes of those they are studying for the purposes of obtaining specific benefits and better access to the information of interest to them.

Sometimes the Most Important Things Are Learned through Unintentional Covert Research

More generally, we should not imagine that the places in which ethnographic work takes place resemble the Trobriand islands in Malinowski's work, where strangers are rarely to be seen. In contemporary advanced industrial (and post-industrial) societies, the lion's share of places and spaces are packed with people coming and going freely, appearing on the scene briefly or barging in without researchers being given the chance to warn them of their presence. I can illustrate with a personal experience of mine relating to research into people dying of cancer which I did some years ago in a large Italian hospital. The research began in a semi-covert way (Marzano, 2007) in the sense that the hospital staff knew about the project and that the head of the hospital ward had approved it. The last part of this ethnographic project was overt, with everyone (staff, patients and their relatives) being informed of its nature and purposes. It was, however, precisely in this last phase of my field work that something totally unforeseen occurred: one day I was in the staff room of the palliative care ward intent on writing up some of my field notes when a doctor (dietician) suddenly came in together with the wife and daughter of a patient. The three of them acted as if I was not there (perhaps the doctor assumed I was a colleague although I was not wearing a white coat), sat down at the other end of the table and the doctor proceeded to explain the best diet and food to be given to the patient (last stage terminally ill) to the

two women. I witnessed the whole conversation in silence and it was an extremely chilling conversation in which a patient entirely unaware of his real condition was treated like a pet to be induced to eat certain foods with little tricks. I wrote out the dialogue in my diary and then added it to my research in rigorously anonymous form (Marzano, 2004). Many years later, I still believe I was right to do so because those few minutes of dialogue were a stark representation of the dehumanisation of the patient and brought across very clearly the way the terminally ill were treated in Italy to my readers. Unintentional covert research can also sometimes be very fruitful.

Informed Consent Inevitably Concerns Only the Initial Research Design

It should also be borne in mind that, as is well known, the qualitative research framework is extremely flexible (Hammersley & Atkinson, 1995, p. 265; Wiles et al., 2007), subject to ongoing restructuring and redefining and changing frequently during the course of a researcher's field work (Calvey, 2008; Lugosi, 2006). For this reason, it can indeed happen that the information supplied at the outset of research, and for which informed consent may have been obtained from participants, will no longer be complete or up-to-date at a later point in the research. Researchers are very rarely able (or willing) to inform participants of such changes and these latter are, in any case, not sociologists and anthropologists and unlikely to be interested in finding out more about the details of what social scientists do, their curiosities and research interests. Very frequently, what participants are most interested in is something researchers are also keen to ensure, namely being able to get on with what they are doing, without too many interruptions and excessive disturbances, working, interacting and going about their normal lives without being disturbed by ethnographers' presence or words. Keeping them constantly informed as to changing research strategies would be a nuisance, a source of irritation, to them. The result, however, is that in this case, too, researchers' objectives and intentions are partially covert.

A Covert Method May Be the Most Suitable Way of Getting Into the Field

The moderate defenders of research also argue that acting covertly can sometimes be ethically admissible on the grounds that its time frame is limited as is its purpose, serving solely to facilitate the researcher's access to the field. In certain contexts, in fact, researchers revealing their true identity may be prejudicial to the very potential for the research, in the last analysis. For example, at the time of his research into gay bars, Lugosi (2006) believed that it would have been dangerously counterproductive for him to have revealed, right from the start, the real reasons for his presence and that it was far better to build up solid friendships during his hours of work as a barman, and the many free time hours he chose to spend there, before doing so. In all cases such as this, acting covertly is an exceptional and momentary state in which researchers commit to making their true identity known as soon as possible to the largest possible number of people. Acting covertly is simply a necessary expedient with which to initiate research in a social environment to which it would otherwise have been very difficult to gain

access. It is possible that most if not all field research can begin in this state of 'naturally covert observation' which gives rise to a topic of research enquiry in the first place.

It Is Not Always the Researcher Who Chooses to Hide His/Her Identity

In certain situations working undercover is not an independent or free choice and it is researchers' gatekeepers who require this as a precondition for allowing them access to the field (Traianou & Hammersley, 2020). This has happened to me twice (Marzano, 2018): the first time when I was studying people dying of cancer and the head of the hospital's oncology ward whom I had contacted through a common friend told the doctors and nurses on the ward who I was and then that if I wanted to observe what went on there all I needed to do was to put on a white coat and tell patients and their relatives that I was a trainee. The second time was when the heads of a Catholic group I was studying proposed that I take part in an educational week of theirs but only on condition that I did not tell the other participants that I was a sociologist and not a member of the community like all the others: 'The risk would that they would feel like laboratory guinea pigs', I was told, 'and would get annoyed.' In both cases the only alternative would have been breaking off the research. The fact is that, in the groups and organisations we study there are significant power imbalances and these can be visible not only in the decisions of the organisation's heads to impose the researcher's presence (disregarding the consent of the others) but also, in some cases, not revealing the presence of the researcher to those involved. In such cases, challenging this norm, making one's identity explicit, would mean challenging the hierarchy, casting doubt on the right of the heads to decide (Traianou & Hammersley, 2020).

Sometimes Asking for Subjects' Consent Is Impractical or Inappropriate

In other research, the obstacles to overt research consist in the fact that (a) the subjects are not, for various reasons, capable of understanding the nature of the researcher's work or that (b) asking them to sign an informed consent form would be an ethically inopportune action (Marzano, 2012). The first situation is very frequent (how many of those who sign informed consent forms are truly aware of its consequences?) and in some cases glaring. An example is Lawton's research into hospices and the terminally ill (Lawton, 2001; see also Paterniti, 2000). This British researcher tried to keep patients coming to the hospice informed about the nature of her work but she could only rarely be sure that they had fully understood, given the late stage of their illness and their frequent dementia. The second situation is a matter of those social contexts in which signing a consent form (even simply informed consent) is bound up with painful memories and has exploitation and domination associations. This is the case of the waste pickers studied by Perez (2019, see also Gubrium et al., 2014, p. 1609). Perez herself has spoken of preferring, at many stages in her career, to use covert methods including to avoid offending the people she was observing. For example, despite fearing that they would forget, she did not remind the waste pickers she spent the day with what she had told them at the outset, that is, that she was recording them. Doing so would,

she believed, have been ethically 'required' but it might have meant implying that their mental faculties were in some way lacking and so ethically compromised. This could be a very serious accusation for people subjected to stigmatisation and social disparagement on a daily basis which they refuted by reminding others, including the ethnographer, of their qualifications.

Autoethnography and Online Research: Two Research Methodologies That Are Difficult to Reconcile with Overt Research

There are also new forms of research which have become very popular over recent years and are difficult to reconcile with informed consent and conventional codes of ethics. These are autoethnography (Ellis, 2004; Jones, Adams, & Ellis, 2016) and online research (Calvey, 2017; Hennell, Limmer, & Piacentini, 2020). In autoethnography, scholars recount events from their own lives in detail and then critically analyse them. Clearly the narrator is never the only character in such texts, as is generally true of autobiographies, with other people being mentioned and their actions described. It is equally clear that this takes place without the prior consent of these latter. The facts described have already happened and frequently the people spoken of are no longer there or no longer in contact with the ethnographer. The cyberethnography situation is similar, namely ethnographic study of online material. Whilst it is theoretically possible to envisage researchers informing subjects of their presence in many situations, there is no doubt that online work exponentially increases the potential for 'lurking', namely doing very easy covert research into what happens on a certain site or social media page without intervening (and thus revealing one's true purpose) (Calvey, 2017). This is particularly true in the case of studies of social media (Woodfield, 2017) in which many of the ethical issues examined in relation to 'research in public places' arise (Iphofen, 2011).

The Risk of Causing Harm with Qualitative Research Is Very Limited

If we reread the history of ethnographic research objectively, we are obliged to accept that the harm done to the subjects of covert ethnographic research, including the most controversial, has been negligible to non-existent. Take the most controversial of all covert ethnography, the one universally cited as a negative example by all the critics of this method, Laud Humphrey's *Tearoom Trade*, a covert study of casual homosexual sex in public toilets in the second half of the 1960s. Even this much criticised research has been seen to have caused no harm to those Humphrey (1975) observed and then interviewed. Quite the contrary, it contributed to increasing tolerance of gay people in America and to bringing an end to repressive policies (Yanow & Schwartz-Shea, 2018). The most significant risks were those its author himself, who later became a well-known activist in the defence of the civil rights of homosexuals, took in order to carry it out (Galliher, Brekhus, & Keys, 2004). And in some ways a similar argument, though on a smaller scale, can be made as regards Wacquant's (2004) book on boxers in an African-American ghetto in Chicago.

Covert Research Must Always Be Considered as a Kind of Last Resort

From a moderate perspective, scholars never opt for covert research without giving it serious thought. Quite the opposite, they make recourse to it only when strictly necessary, sometimes uneasily and with feelings of guilt and in any case always preferring to come out into the open and reveal their identities as soon as possible. For example, Virtová, Stöckelová, and Krásná (2018) have recounted that the member of the group who undertook the field work got herself hired at the electronic goods factory chosen for the study and kept her identity concealed in order to be able to carry out her research work freely without interference by the firm's management. As time went on, however, the moral urge to drop her mask and tell her worker colleagues the truth intensified and, after revealing her identity to some of her department colleagues, she went as far as to allow one of them, who had in the meantime become a close friend, to have a say on research strategy, decide who could be told the truth and which parts of the research needed to be terminated or rewritten. A similar decision was taken by Perez (2019) and myself, years ago and in similar terms, described the moral quandary which led to me seeking out and finding a way to do overt research (Marzano, 2007).

The Superiority of Situated Ethics

In summary, the exponents of what I have called a moderate form of covert research espouse a situated ethics (Calvey, 2008) in which they conceal their research identities only in certain situations and with specific limits and constraints ensuring full moral responsibility for their actions. In the view of its exponents, situated ethics and a sense of 'positionality' supply those involved in its research with much wider, more authentic and incisive protection than that given by mere informed consent, that is, a process which is frequently solely formal and defensive in purpose (regarding the reputation of the researcher or the academic institution he or she belongs to).

THE RADICAL APPROACH

The approach to covert research I have termed moderate or reformist has certainly been the most popular approach over the last two decades and it has, to some extent, rehabilitated this approach. That said, I cannot avoid citing here, however summarily, what I see as a more radical approach to covert research. It starts from the assumption that knowledge of the truth is a complicated business which requires getting over the defensive barriers put up by subjects to stop the truth coming out (Mitchell, 1993). In this context, covert research is seen as an absolute necessity and the sharing of information and research projects between scholars and subjects dangerously utopian. This perspective sees the research world as marked by conflict and the juxtaposition of interests with those observed on one side and researchers on the other.

This decidedly minority view is rare today and its great prophet is Jack Douglas, a very original theoretician and passionate researcher (Johnson, 2015). The book

in which he set out his 'research philosophy' most clearly (Douglas, 1976) begins with this striking phrase: 'The goal of all social research is to discover, understand and communicate truth about human beings in society'. Douglas is certainly well aware that this affirmation is replete with problems, heuristic complications and huge epistemological and methodological difficulties, believing that it must be considered the starting point for all knowledge acquisition all the same. Naturally the truth Douglas spoke of is not the absolute truth of the positivists but the everyday life truth we all seek out in our lives. For Douglas, in seeking out the truth, sociologists have no option but to prioritise one source in particular in their everyday lives and academic work equally, namely direct experience, first person participation, getting into the shoes, at least for a whilst, of a member of the social group or organisation to be studied. What can be gleaned from interviews comes second, as the direct experience of other people, with what can be deduced from mere logic or common sense coming last. The reason behind this research methods 'hierarchy' is to be sought in the fact that nothing is more reliable than direct experience. In interviews, there is always the chance that interviewees are lying or, at least, concealing part of the truth and the likelihood of this increases on certain themes (primarily sex, money and power) and above all in a society as divided and conflicted as contemporary America.

Douglas does not deny that there are research situations and contexts in which scholars can proceed by means of relationships of trust with the people they study and base their studies on the willingness of the latter to co-operate with them. There are, however, according to Douglas, others, and they are certainly not few in number, in which finding out the truth requires adopting a different research strategy, namely lying, acting under false pretences and infiltrating. I have already referred to the basic reasons behind this: the people sociologists often study are likely to lie and deceive often, they resist with all their power, and frequently in an organised way, any attempt by researchers to penetrate their worlds to get to know and describe them. And this is not only the case of criminals but also of the most normal of people, of us all, when things we prefer to keep hidden are involved. The perimeter of lies, deceit and half-truths is, for Douglas, so wide in social life that giving up covert methods would mean giving up casting light on the lion's share of human activities and thwart the knowledge gathering mission of the social sciences, relegating these to innocuous and moralistic disciplines.

It would, however, be mistaken to deduce an overall indifference to research ethics from the orientation of Douglas's research. In my view, and Douglas might perhaps agree, it would be closer to the truth to argue that the ethical principles his work is inspired by are not those of the currently prevalent code of ethics approach but rather inspired by the need to prioritise 'parrhesia' wherever possible, namely telling the truth, above all to the powerful, who don't want to hear it (Alvesalo-Kuusi & Whyte, 2018, Galliher, 1979). Parrhesia, as Michel Foucault (1983, 2011, 2012) reminded us in a reworking of ancient philosophy, is in some cases a courageous gesture (exposing the researcher to the anger and revenge of the powerful) and, in others, a gesture of friendship and brotherhood. In other words, telling the truth may serve to condemn an abuse but also to help a friend to take stock of reality. This is what Douglas (1976, p. 115) is implicitly reminding

us when he argues that investigative research also means stating, or rather putting into writing, a truth which might wound some of those in the field who have become friends, people we sympathise with but who we have done research on and who, when the results are written up, we must treat like all the others, no concessions. For Douglas (1976 p. 115), truth tellers are duty bound to report

> illegal, shady or deviant activities (from the standpoint of the middle-class public) which the member would prefer were not reported, which could be used against the members by political enemies, and which the authors might prefer did not exist.

Truth tellers stop before nothing in their desire to tell the truth. In his book, Douglas describes frankly and in detail the academic world's many hypocrisies and lies and also sets out in full the many lies he himself has told in his private life. For Douglas ethics is not a bureaucratic issue which can be relegated to a board or protocol, but a profound moral duty bound up with telling the truth, whatever the cost and always. For him, the institutionalisation of the professional behavioural codes from which sanctions could be applied are a threat to freedom and constitute a tool by which to impose grey, depressing conformity and thus avert the emergence of new ideas which might jeopardise consolidated power balances (Douglas, 1979). The laws of liberal democratic states are more than sufficient to safeguard research ethics without the need for sanctions from specific ethics boards.

Douglas's very unusual approach has prompted bitter criticism by some, but also admiration and applause from others who have, however, only rarely emulated his approach to investigative research. Of these latter, many of his students can certainly be cited (Adler, 1993; Adler & Adler, 1987; Johnson, 1975, 2015; Melnikov & Kotarba, 2017, 2020), as well as certain contemporary authors whose approach is very close to the 'critical sociology' approach (Brannan, 2015, 2017; Lloyd, 2020; Sugden & Tomlinson, 1999), a formidable highly *sui generis* anthropologist like Nancy Scheper-Hughes (2004) and, above all, some of the greatest researchers in the history of ethnography from Dalton of *Men Who Manage*, (cited more than once by Douglas himself as a sublime example of investigative research), Rosenhan of *Being Sane in Insane Places*, Festinger of *When Prophecy Fails* and Goffman of *Asylums* (see also Mitchell, 1993).

CONCLUSIONS

Covert research was, for decades, a method made use of by social scientists without especial difficulty, feelings of guilt or inadequacy or negative implications for those studied. The change in cultural climate which took place in the 1980s and its newly introduced ethics standards has made covert research increasingly difficult, and frequently impossible when monitoring by ethics committees is required. However, covert research has not died out and many of the researchers adopting it (those I have called moderate or reformist) have done so in an attempt to demonstrate its compatibility with the generally accepted principles of ethics regulation. Outside this perimeter, a covert research tradition (which I have called radical) which is incompatible with codes of ethics but not with the

ethical principles involved in social research has struggled, all the same, to survive on the strength of those uncomfortable truths which many do not want to hear.

NOTES

1. Much of the epic social sciences research of the past was covert, with a few examples being Dalton (1959), Festinger, Riecken, and Schachter (1956), Goffman (1961) and Rosenhan (1973). For a complete list see Calvey (2017).

2. This has been analysed fully in the works cited at the beginning of this chapter.

3. Incidentally things are not simple even here, given the fact that, as Spicker, (2011) has noted, it is not solely public action which takes place in public places but also private actions which should be observed and reported with greater caution by social scientists.

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