

FGV São Paulo Law School & LawTransform | PhD Course **Research Ethics in Empirical Social and Legal Research**



28 November – 8 December 2022

28 November - 2 December – Online course

5 - 8 December – In person course in São Paulo, Brazil (option for digital participation)
as part of the **Exchanges of Law & Social Transformation in São Paulo**
(#BeExSampa)

A range of ethical considerations and legal obligations apply when we engage in empirical social research – collecting, storing, processing, and publishing information about human beings. Most of these considerations and obligations are common across disciplines, countries, and institutions while others differ. In this course, the students will gain theoretical knowledge and practical insights into the different ethical issues that arise at different stages of the research process, as well as the ways in which these can be navigated. The students will discuss and get feedback on ethical issues related to their own research, and during the #BeExSampa conference, they will have a chance to discuss with researchers undertaking socio-legal research projects on autocratization, violence, sexual and reproductive rights, climate change, and indigenous rights have dealt with the ethical issues involved.

PhD Course on Research Ethics in Empirical Social and Legal Research

Course leader: Camila Gianella (PUCP)

Lecturers: Catarina Barbieri (FGV São Paulo Law School), Karina Ansolabehere (UNAM), Marta Machado (FGV São Paulo Law School), Rachel Sieder (CIESAS/CMI), Siri Gloppen (LawTransform/UiB) and Thiago Amparo (FGV São Paulo Law School).

PROGRAM

Part I (digital sessions) | 28 November – 2 December

Daily 11:00 – 16:00 São Paulo time (GMT-3)

Monday | 28 November

11:00 – 13:00

1. General Introduction and Key Terms

Camila Gianella

This session will present the course and introduce the central topics and concepts. We will start by discussing what it implies to reflect on ethics when doing research, map some “ethical concerns and considerations” and discuss when in the research process we need to start reflecting on ethics.

Readings

AMES RAMELLA, P.; MERINO AMAND, F. *Reflexiones y Lineamientos para una Investigación Ética en Ciencias Sociales*. Lima: Departamento Académico de Ciencias Sociales/PUCP, 2019. Available at: <https://repositorio.pucp.edu.pe/index/handle/123456789/169333>

AMON, J. J.; BARAL, S. D.; BEYRER, C.; KASS, N. Human Rights Research and Ethics Review: Protecting Individuals or Protecting the State? *PLOS Medicine*, v. 9, n. 10, Oct. 2012. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3472977/>

HILÁRIO, A. P.; AUGUSTO, F. R. (Eds.). *Practical and Ethical Dilemmas in Researching Sensitive Topics with Populations Considered Vulnerable*. Basel: MDPI, 2020. Available at: <https://www.mdpi.com/books/book/3052-practical-and-ethical-dilemmas-in-researching-sensitive-topics-with-populations-considered>

SMITH, L. T. *Descolonizando Metodologias: Pesquisa e Povos Indígenas*. Curitiba: UFPR, 2018. Available at: Brazilian Portuguese -

<https://www.editora.ufpr.br/produto/346/descolonizando-metodologias--pesquisa-e-povos-indigenas>

English - <https://www.bloomsbury.com/us/decolonizing-methodologies-9781786998132/>

Spanish - <https://traficantes.net/libros/descolonizar-las-metodolog%C3%ADas-0>

15:00 – 17:30

2. Group work

Siri Gloppen

Students will work in groups of 3-4 people throughout the week. The group work will have two outputs:

- a group presentation of an application for ethical clearance for an assigned project;
- an individual reflection note where each student reflects on the ethical challenges and concerns arising in relation to their own project and how these can be navigated.

In this first group session each of the students will present their projects to the group (abstracts to be circulated ahead of the course) and give a reflection on the ethical issues involved.

Each of the projects will be subject to a group discussion.

Tuesday | 29 November

11:00 – 13:00

3. Data Collection, Storage, and Use

Camila Gianella

This session will explore challenges related to collecting data, with particular focus on informed consent. We will also discuss issues related to privacy, anonymity, and security in relation to collection, storage and use of data.

Readings

DAVIS, J. M.; WILFAHRT, M. Enumerator Experiences in Violent Research Environments. *Working Paper*, Jun. 2022. Available at: https://drive.google.com/file/d/1wUwyJVoeap_0xqFRTt9H0fXiX8QMf57S/view

DAVIS, J. M. Manipulating Africa? Perspectives on the Experimental Method in the Study of African Politics. *African Affairs*, v. 119, n. 476, Jul. 2020. Available at: <https://academic.oup.com/afraf/article/119/476/452/5823697>

FERREIRA, C. M.; SANDRO SERPA, S. Informed Consent in Social Sciences Research: Ethical Challenges. *International Journal of Social Science Studies*, v. 6, n. 5, May 2018. Available at: <https://redfame.com/journal/index.php/ijss/article/view/3106/0>

FRISANCHO, S.; DELGADO, G. E.; LAM, L. El Consentimiento Informado en Contextos de Diversidad Cultural: Trabajando en una Comunidad Asháninka en el Perú. *Límite – Revista Interdisciplinaria de Filosofía y Psicología*, v. 10, n. 33, 2015. Available at: <https://revistalimite.uta.cl/index.php/limite/article/view/40>

13:30 – 16:00

4. Group work

Siri Gloppen

In this group session, the students will discuss ethical and practical challenges related to data collection in their own projects, including issues of informed consent, privacy, anonymity and security.

Wednesday | 30 November

11:00 – 12:45

5. Academic Decolonization: Meaning, Challenges, Experiences

Rachel Sieder

This session will explore the meanings of “decolonizing” our research perspectives and methods. How can we challenge dominant forms of knowledge that underpin the framing of so much sociolegal research? What does ethical engagement with our research subjects through a decolonizing lens entail?

Readings

FRASER, C.; TODD Z. Decolonial Sensibilities: Indigenous Research and Engaging with Archives in Contemporary Colonial Canada. *L'Internationale Online*, Brussels, Feb. 2016. Available at: https://www.internationaleonline.org/research/decolonising_practices/54_decolonial_sensibilities_indigenous_research_and_engaging_with_archives_in_contemporary_colonial_canada/

TALLBEAR, K. Standing With and Speaking as Faith: A Feminist-Indigenous Approach to Inquiry. *Journal of Research Practice*, v.10, n. 2, 2014. Available at: <https://jrp.icaap.org/index.php/jrp/article/view/405>

TODD, Z. From Fish Lives to Fish Law: Learning to See Indigenous Legal Orders in Canada. *Somatosphere – Science, Medicine, and Anthropology*, Feb. 2016. Available at: <http://somatosphere.net/2016/from-fish-lives-to-fish-law-learning-to-see-indigenous-legal-orders-in-canada.html/>

13:00 – 15:00

6. How to Address Race in Research

Thiago Amparo and Marina Lacerda

In this class, the role of race in research will be discussed, both from a theoretical and from a practical perspective. In particular, race has been a key component in legal

research, since law produces racial inequality. With the use of literature on race as a category, professors will analyze how and why race is important for research today.

Readings

BONILLA-SILCA, Eduardo and ZUBERI, Tukufu. (ed.). *White Logic, white methods. Racism and Methodology*. UK: Rowman & Littlefield Publishers, 2008 (Part I, p. 3-27).

CARNEIRO, S.; CAMARGO, R. Women in Movement. *Meridians: Feminism, Race, Transnationalism*, v. 14, n. 1, 2016. Available at: <https://www.jstor.org/stable/10.2979/meridians.14.1.03>

HANSEBALG, C. A. Race, Class and Stratification. In: HANSEBALG, C. A. *Race Relations in Post-Abolition Brazil: The Smooth Preservation of Racial Inequalities*. Berkeley: University of California, 1978. pp 96-106.

LÓPEZ, I. H. *White by Law: The Legal Construction of Race*. New York City: NYU Press, 1997. pp 78-108.

SILVA, Marina Lacerda e. Punindo as diferenças: gênero, raça e geração no sentenciamento de tráfico de drogas na cidade de São Paulo. 2019. 227 f., il. Dissertação (Mestrado em Direito)—Universidade de Brasília, Brasília, 2019. (Chapter 3, p. 112-198)

15:00 – 16:00

7. Group work

Siri Gloppen

In this group session, the students will discuss their situatedness related to those they study and implications of this positionality, reflecting on the issues discussed in the previous lectures.

Thursday | 1 December

11:00 – 13:00

8. Experience Researching State Violence

Karina Ansolabehere

This session will explore ethical and practical challenges related to researching violence, including challenges of collecting data in contexts where security is a concern both for the researcher and for those who are studied. The general query that will guide the discussion is: what are the challenges to make visible those things that are invisible in this context?

Readings

ABDELNOUR, S.; MOGHILI, M. A. Researching Violent Contexts: A Call for Political Reflexivity. *Organization*, v. 0, n. 0, 2021. Available at: <https://journals.sagepub.com/doi/10.1177/13505084211030646>

ANSOLABEHERE, K. Collaborative Research in the Midst of Crisis: An Observatory on Disappearance and Impunity in Mexico. *OpenGlobalRights*, New York City, Mar. 2021. Available at:

<https://www.openglobalrights.org/collaborative-research-in-the-midst-of-crisis-observatory-on-disappearance-and-impunity-in-mexico/?lang=English>

SCHINKEL, W. For a New Social Science of Violence. In: SCHINKEL, W. *Aspects of Violence: A Critical Theory. Cultural Criminology*. London: Palgrave Macmillan, 2010. pp. 203-225. Available at: https://link.springer.com/chapter/10.1057/9780230251342_9

13:30 – 15:00

9. Group work

Siri Gloppen

This session will explore ethical and practical challenges related to researching violence, including challenges of collecting data in contexts where security is a concern both for the researcher and for those who are studied.

Friday | 2 December

11:00 – 13:00

10. Evolving Ethical Requirements in Academic Publishing

Catarina Barbieri

This session will discuss authors' responsibilities in publication ethics, the most common ethical issues editors' have to handle (plagiarism, data fabrication, salami science, etc.), the new challenges brought by the open science paradigm (open access, open peer reviews/post-publication critiques, and open data) and the journals' responses to misconduct (*erratum*, expression of concern, and retraction, etc.).

Readings

ROMERO-RAMÍREZ, C.; JIMÉNEZ-YAÑEZ, C. Guidelines for Dealing with Cases of Ethical Bad Practices in Academic Journals of Social Sciences and Humanities. *London Journal of Humanities and Social Science*, v. 22, n. 6, 2022. Available at: https://journalspress.com/LJRHSS_Volume22/Guidelines-for-Dealing-with-Cases-of-Ethical-Bad-Practices-in-Academic-Journals-of-Social-Sciences-and-Humanities.pdf

Cases

COPE. Academic Freedom. Case n. 22-04. COPE, Hampshire, 2022. Available at: <https://publicationethics.org/case/academic-freedom>

COPE. Data Availability for Vulnerable Populations. Case n. 22-12. COPE, Hampshire, 2022. Available at: <https://publicationethics.org/case/data-availability-vulnerable-populations>

13:30 – 16:00

11. *Ethical Reviews and Experiences*

Camila Gianella

Group presentations and discussion of ethical review processes. Sharing of experiences.