Freedom of Inquiry and the Protection
of Research Subjects*

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Summary

To facilitate international collaboration and foster an institutional culture of ethical reflection, the Berlin Social Science Center (WZB) is developing its own research ethics policy. While drawing from international ethical principles developed for medical research, the WZB policy intends to be appropriate to social science research and the needs of a German institute. It also aims to balance scientific autonomy with protecting research subjects.

Zusammenfassung

Um die internationale Zusammenarbeit zu erleichtern und der ethischen Reflexion einen festen Platz in der Institution zu geben, arbeitet das Wissenschaftszentrum Berlin für Sozialforschung (WZB) an eigenen Richtlinien zur Forschungsethik. Diese orientieren sich an Richtlinien, die international für die medizinische Forschung erarbeitet wurden, sie sollen aber sowohl den Bedürfnissen der Sozialwissenschaften als auch dem deutschen Kontext Rechnung tragen. Außerdem soll der Schutz der teilnehmenden Personen ebenso zu seinem Recht kommen wie die Autonomie der Wissenschaftler.

Social scientists in the United States, Australia, Great Britain, Sweden, and many other EU countries have long been required to submit new research proposals for review by an ethics committee before commencing with data collection. While precise policies and procedures vary by country and even institution, the basic task of research ethics committees remains the same: to ensure the ethical treatment of human subjects and individually identifiable human subject data.

Such is not the case for social science research in Germany. Instead, the treatment of research participants is regulated by data protection laws, ethics boards

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for medical research, and miscellaneous institutional and discipline-based policies. Furthermore, research ethics is conspicuously absent from German descriptions of good scientific practice. Both the memorandum *Sicherung guter wissenschaftlicher Praxis* of the DFG (German Science Foundation) and the Leibniz-Gemeinschaft's *Leitlinie zur guten wissenschaftlichen Praxis* expound upon topics including scientific dishonesty, mentoring of young scientists, and securing data, but make no mention of research subjects. Consequently, there is little impetus for German social science research to undergo any sort of ethical review, and few German institutions have structures and procedures in place to provide researchers with ethical guidance and oversight.

Yet for German social scientists, including those at the Berlin Social Science Center (WZB), the paucity of research ethics committees is becoming increasingly problematic and risks limiting opportunities for international research and collaboration. The approval of an ethics committee is increasingly required by peer-reviewed journals, third-party funders, and providers of sensitive data sets. Nor is the lack of research ethics committees a mere pragmatic concern. In the absence of national, regional, or institution-based policies, ethical considerations become a private matter rather than a subject for the lecture hall or seminar table. There is little incentive to ponder ethical issues when developing a new project, and it is all too easy to put off ethical deliberations until it is time to fill out a questionnaire required for a grant application. And yet, given the importance of public trust in the work that scientists do, the consequences of ethical misconduct are at least as grave as other forms of research misconduct.

It is in this context that the WZB has developed its own research ethics policy. Because this policy could impact the work of nearly anyone at the WZB, its development has been an open and collaborative process, with multiple opportunities for consultation and feedback. While specific to the WZB, it joins a growing number of ethics policies under development at other German universities and research institutes and reflects conversations taking place within groups such as the DFG and the Rat für Sozial- und Wirtschaftsdaten (German Data Forum). As of Januar 2016, a policy draft has been circulated and discussed with internal stakeholders and external experts. The policy is expected to go into effect later this year, at which point the first members of the WZB research ethics committee will begin their work.

Within the WZB, there has been widespread support for the development of a research ethics policy and little disagreement on the general principles underlying ethical research. Indeed, ethical codes developed after the Second World War, most notably the Nuremberg Code (1947), Declaration of Helsinki (1964, revised multiple times since), and Belmont Report (1979), underline the same basic concepts: research should have social or scientific value; research must have a favorable risk-benefit ratio; participation should be voluntary; participants must give informed consent. Although these codices were drafted prima-

rily for medical research, they remain almost without exception relevant to the social sciences.

Yet the near-universality of ethical principles does not mean that procedures for ethical review should be uniform across scientific disciplines. Nearly everyone who provided feedback on the WZB policy emphasized that it must be tailored to social science research and not simply adopt the models from medicine. (It is on this point that American Institutional Review Boards, or IRBs, have come under criticism from researchers in social and behavioral science.) To take one basic example: while a signed form documenting informed consent is commonplace in medical research, it is not always desirable or even feasible in the social sciences. In fact, some of the most effective approaches to certain topics, such as workplace or housing discrimination, require that subjects be unaware of their own participation. The WZB policy therefore recognizes that the process of obtaining and documenting consent will vary according to project and methodology, and it gives the researcher almost complete authority to determine the most appropriate kind of consent.

One challenge in developing any research ethics policy is balancing the autonomy of the scientist with the protection of research subjects. Germany's near-total lack of ethics boards in the social sciences stands in stark contrast to federally mandated IRBs in the United States, which oversee all human subject research, from invasive medical procedures to simple surveys. The WZB policy, loosely modeled after that of London School of Economics, seeks a middle ground by defining three categories of ethical review and giving the researcher (rather than an ethics committee) the authority to determine what level of review is required. In the first category – typically in cases where only secondary data is analyzed – no ethical review is needed. In the second, the researcher must fill out a detailed ethics questionnaire, but is ultimately able to self-certify that the research is low-risk and ethically unproblematic. The third and final category is reserved for higher-risk or more ethically complex projects, including those involving vulnerable populations such as children or the mentally ill. Only projects in this third category will need to be reviewed by the WZB research ethics committee.

In its current form, the policy has four components:

1. Statement of Ethical Principles: The foundation of the policy is a statement of nine principles of ethical research, which aim to provide an analytical framework for considering ethical questions and foster reflection on the ethical implications of one's research.

2. Ethics Application and Questionnaire: Before beginning a new research project, researchers must fill out an application form and questionnaire. The application allows the researcher to determine which level of ethical review is required; the questionnaire offers the opportunity to consider systematically

various ethical concerns that could pertain to a particular project – and before data collection begins.

3. Research Ethics Committee: Consistent with international practice, the five-member WZB Research Ethics Committee will include at least one non-scientist and one external member, with no connection ot he WZB. The committee will review applications on a monthly basis and either approve, require modifications, or reject an application.

4. Opportunities for training and continuing education: The success of the Research Ethics Policy depends on the ethical awareness and training of WZB scientists. To that end, the WZB will establish a website on research ethics, which will include not only copies of necessary forms and policies, but also a virtual library of training documents, videos, and other resources. A WZB Handbook on Research Ethics will be developed, covering issues such as informed consent, vulnerable populations, and deception in research. There are also plans to establish a series of brown-bag lunches or seminars on research ethics.

The WZB Research Ethics Policy attempts to take into account best practices elsewhere and avoid the pitfalls that have brought ire upon other ethics committees. It intends to be appropriate to social science research and the needs of a German research institute. Our policy aims not only to remove some of the obstacles to international research, but also to foster a culture of reflection on the ethical implications of one's research. Ultimately, the WZB research ethics policy aims to advance science, not hinder it.