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Framing "Deception" and "Covert" in Research: Do Milgram, Humphreys, and Zimbardo Justify Regulating Social Science Research Ethics?

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Key words:

deception; covert
research;
MILGRAM;
HUMPHREYS;
ZIMBARDO;
ROSENHAN; LEO;
ethics review;
human subjects
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regulations; field
research;
beneficence

Abstract: No systematic assessment exists that justifies the extension of ethics regulations to non-experimental social science research. Instead, three studies—by MILGRAM, HUMPHREYS, and ZIMBARDO—are repeatedly cited to support such regulation, based on their use of deception and/or covertness. Challenging such regulation requires these studies' detailed re-examination. In this article we offer a critique of deception and covert research as understood solely within the context of experimentation: that framing of those research activities has narrowed their consideration in ways that do a disservice to social science research (as comparison with studies by ROSENHAN and LEO further clarifies). We show that, controversial as they may have been, these projects met a key ethics principle: "beneficence," something ignored by most of the critics assessing their work. Theorizing deception and covertness, we establish distinctions between them and argue for the importance of their use in studies of powerful individuals and organizations, as current political climates make evident.

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"By participant observation we mean that method in which the observer participates in the daily life of the people under study, either openly in the role of researcher or covertly in some disguised role ..." (BECKER & GEER, 1957, p.28).

1. Stage-Setting

Three studies are commonly used to justify regulating social science research ethics—MILGRAM, HUMPHREYS, and ZIMBARDO—in part because of their use of deception and/or covertness. Understandings of those three studies, however, are overly simplistic. Consequently, fieldwork studies of powerful institutions and actors in which deception/covertness would be reasonable are misregulated. [1]

After reviewing the background concerning ethics regulations and deception/covertness, we examine those three studies' research designs, plus two others, for their uses of deception and/or covertness as these bear on human subjects/participants, contrasting experiments and field research. Our analysis shows that deception and covertness are distinct, the former having several facets and changing by method. Today's political climate demands a re-thinking of what is appropriate in regulating politically fraught research, as social scientists may increasingly find themselves conducting research that challenges governments and powerful individuals and organizations, turning to deceptive and/or covert practices to do so. [2]

1.1 Policy history

"[I]t is high time ... for society to take its own measures of self-protection against those zealots of science who have ceased to distinguish between their brothers and guinea pigs ..." (Russian physician Dr. Vikenty VERESSAYEV, quoted in B. GRAY, 1975, p.9).

US policy regulating research ethics is rooted in a history of unethical medical experimentation: not only the Tuskegee syphilis study and Nazi doctors' concentration camp abuses, but also over 4000 government-sponsored radiation experiments, including on prisoners and retarded children and adults in hospitals (ADVISORY COMMITTEE ON HUMAN RADIATION EXPERIMENTS, 1995). In 1974, Congress passed the National Research Act (PL 93-348) regulating "biomedical and behavioral research" with human "subjects." Regulation was to be achieved through prior review of research proposals, by "institutional review boards" (IRBs). Other states in the "Anglosphere"—Canada, the UK, and Australia—followed suit. [3]

Three ethical principles recur across these policies: *respect for persons*, *beneficence*, and *justice*. They derive from key statements adopted in the aftermath of World War II: the 1947 Nuremberg Code, the 1948 Declaration of Geneva, and the 1964 Declaration of Helsinki. Although many assume there were no ethical codes prior to this time, this section's epigraph dates to a Russian researcher writing in 1916; B. GRAY (1975, p.9) also quotes one from a 1767 legal case. Moreover, in 1931 Germany adopted "Regulations on New Therapy

and Human Experimentation" requiring medical researchers to obtain subjects' informed consent before beginning experimentation (WEINDLING, 2001, p.41). The Nazi doctors' "medical experimentation" violated that law, their acts making "it apparent that the 'experimental' use of human beings could be monstrously perverted" (B. GRAY, 1975, p.5).¹ [4]

The "Anglosphere" states' research regulation, excepting Canada's, initially engaged medical experimentation; social sciences were an afterthought. The US became more stringent about including them two decades after the 1974 Act, with the 1991 "Common Rule" unifying regulatory policy across federal agencies (OFFICE FOR HUMAN RESEARCH PROTECTIONS, n.d.). But IRB regulations were extended to non-experimental social science without seriously considering social scientists' input concerning how their methods and ethical concerns differ from those of medical and other experimental researchers (SCHRAG, 2010). [5]

Manuals for training review board members and staff (e.g., AMDUR & BANKERT, 2011; BAILEY, 2014), methods textbooks (e.g., NEUMAN, 1997, p.477), and non-US policy statements typically invoke three studies as evidence of social scientists' unethical conduct requiring their regulation: Stanley MILGRAM's obedience (or shock) experiments; Laud HUMPHREYS' field-research study of homosexuals; and Philip ZIMBARDO's "Stanford prison experiment." The projects are presented as if they were self-evidently unethical, based on presumed harms to subjects/participants: "Certain studies are assumed to be so well known that you just have to mention their name, and a whole host of associations are supposedly established in the head of your reader" (CAVE & HOLM, 2003, p.27). That the research was done without full disclosure, through the use of deception or covertness, is central to such assessments. [6]

A policy-analytic framing approach (VAN HULST & YANOW, 2016) suggests that some other, tacitly known yet unmentioned, extra-research meanings are in play. These are projected onto the three studies, framing perceptions of their ethical breaches. The facticity of their ethicality generates a policy myth (YANOW, 2016) blocking further inquiry, silencing challenges to social science research regulation. [7]

A critical assessment of such regulation, then, requires revisiting the MILGRAM-HUMPHREYS-ZIMBARDO troika and their uses of deception and covertness. We join others who have also sought to "rehabilitate" those three studies (e.g., SIEBER & TOLICH, 2013). Adding two other equally significant projects—David ROSENHAN's pseudo-patient study (1973) and Richard LEO's (1996a, 2008) police investigator field research—enables sharper distinctions between those two concepts. Rather than start with a priori definitions of deception and covertness, we undertake a textual ethnography (JACKSON, 2006) of these cases' research reports and critiques, treating them as evidentiary sources for different research practices and "reading" them to see what deception/covertiness actually entail. Our analysis reveals a complexity that most commentaries ignore.

¹ Additionally, physical anthropologists in the Third Reich checked their methodological concerns with US colleagues (SCHAFFT, 2004).

Controversial as they may have been, these projects met a central ethical principle—beneficence. Additionally, treating HUMPHREYS' field research alongside MILGRAM's and ZIMBARDO's experiments implies an unwarranted equivalence across research designs and ethics perspectives, making field research similarly require prior review. The two added cases, from psychology and criminology, further illuminate the context-specificity of deception and covertness and their desirability in politically charged research.² [8]

A terminological-cum-ethical note before proceeding. Although "biomedical" has become common usage in ethics regulation talk, it emerged out of a strategy to position medicine "as a scientific discipline" (BENNINGHOFF, 2015, p.7). Much of the unethical experimentation out of which regulations grew was conducted by physicians simultaneously treating patients and experimenting on them, thereby blurring those two roles: "[T]here was little differentiation made between research and therapy, between the physician and investigator, and between the patient and subject" (PECKMAN, 2001, n.p.). Such role confusion does not characterize the social sciences, where researchers do not have therapeutic relationships with those they study. Therein lies part of the challenge in assessing deception and covertness for non-experimental social science. [9]

1.2 What's wrong with deception and covertness? Initial understandings

The three post-WWII ethics principles were translated into operationalizable research practices in the Belmont Report (NATIONAL COMMISSION, 1978), the basis for US regulations (see Table 1).

| Nuremberg (1947), Geneva (1948), Helsinki (1964) | Belmont Report (1978) |
|---|---|
| Respect for persons | Securing <i>informed consent</i> |
| Beneficence | Assessing potential research <i>risks</i> in light of <i>expected societal benefits</i> |
| Justice | <i>Selecting subjects</i> equitably |

Table 1: Translating ethics principles into research practices [10]

The developing policy attended, in particular, to vulnerable research subjects; privacy and the confidentiality of subjects' data were added beginning in the 1990s; some states have added principles beyond those three. [11]

In the logic of Belmont's framework, informed consent renders research participation voluntary, thereby enacting respect for persons. VAN DEN HOONAARD (2014, p.181) argues that informed consent has become "the perceived lynchpin in the ethical conduct of all research." Using deception—depriving subjects of complete and accurate information concerning what will

² For want of space, we do not delve into online field-research or political science or economics field experiments, although these sometimes involve covertness or deception (DESPOSATO, 2016).

happen to them during a study—decreases their ability to appraise potential risks. Covert research keeps subjects from knowing that they are being studied, rendering voluntariness moot. Deception and covertness would seem, then, *prima facie* unacceptable, and some field researchers assume that ethics review committees prohibit them. That is not the case. The Belmont Report (NATIONAL COMMISSION, 1978, p.30), for instance, says that "incomplete disclosure" is justified

- when it is "truly necessary" to the research purpose, not simply a matter of investigator convenience;
- when there are no "undisclosed risks that are more than minimal"; and
- when the project also includes some sort of debriefing, "when appropriate," or a later sharing of the research results. [12]

First used in print by MILGRAM, "debriefing" encapsulates what had been three distinct activities: "dehoaxing" (revealing the deception), "catharsis" (stress alleviation), and "assessment of subjects' perceptions" (whether they had responded to treatment variables or to their understandings of experimenters' expectations). By 1968, debriefing had become the accepted post-experimental activity to compensate for deception in psychology (HARRIS, 1988, pp.195, 202). [13]

Although the Belmont Report leaves considerable room for deception where risk to subjects is minimal, its insistence on immediate debriefing or later sharing suggests that Report authors understood "incomplete disclosure" in the context of experimentation, not field research. As we will demonstrate, treating covertness and deception interchangeably and the latter as if its meaning were singular obscures key differences, including disciplinary- and methods-specificities. This occlusion results from the particular research designs, settings, and idea of vulnerability ensconced in Belmont Report principles, generalized, inappropriately, as universal ethical standards. [14]

Such conceptualizations of deception and covertness serve as starting points for analyzing the five studies. Treating them as empirical data enables us to examine the adequacy of these initial understandings. [15]

2. The Troika: MILGRAM, ZIMBARDO, and HUMPHREYS

We sequence these three studies in modified chronological order—MILGRAM started in 1960-1961, ZIMBARDO in 1971, and HUMPHREYS in 1966—taking ZIMBARDO second to highlight the significant differences between the two experimental research designs and the field research. MILGRAM's were classic laboratory experiments: research subjects came to a university-based lab for "administration" of the "treatment," in two dozen variations. ZIMBARDO's laboratory research, also university-based, was a role-playing simulation. HUMPHREYS', by contrast, was a classic two-phase sociological field research study, the researcher going on location for participant-observation followed, a year later, by further observation and a survey. That all were carried out in the same decade makes comparative analysis of the ethical issues *at the time of the research* more feasible. [16]

2.1 MILGRAM

Stanley MILGRAM's obedience experiments are well known, perhaps because they have been widely taught in undergraduate psychology courses and have inspired plays, films, television shows, novels, and songs (PERRY, 2012, p.7). As MILLER (2013, p.22) notes, the research remains "of unprecedented and continuing interest and impact." [17]

In 1960, MILGRAM started planning a series of experiments to test obedience to authority. Subjects, recruited through advertisements offering \$4 for the hour (equal to \$33.09 in 2018³), plus \$0.50 for transportation, were told the experiment tested using punishments to induce learning. Under the direction of a man wearing a lab coat ("the experimenter"), they administered what they believed were real electric shocks to a person ("the learner") trained to respond as if he were being shocked. In 11 of 23 experiments, MILGRAM found that 50% or more of the subjects administered the highest degree of "electric shock," even after "the learner" began to scream or bang on the wall. Subjects obeyed the instructions of the lab-coated authority figure to a greater degree than what MILGRAM and others had anticipated (PERRY, 2012, pp.304-310). [18]

First published in a 1963 article (the book appeared in 1974), MILGRAM's research, initially funded by the National Science Foundation (NSF), relied on *deceiving* his subjects—getting them to believe things that were not the case (e.g., that the shocks were real) and not informing them as to the true purpose of the research. Part of the deception entailed using confederates (e.g., the "experimenter"). Subjects knew they were participating in research; that is, the research was not done *covertly*. When he was present, MILGRAM watched from behind a one-way mirror, emerging at the end to interact with subjects. [19]

The American Association for the Advancement of Science awarded MILGRAM a research prize in 1964, but his work was challenged on ethical grounds because

3 <http://www.dollartimes.com/calculators/inflation.htm> [Accessed: February 12, 2018]. For context, one subject's day job paid \$2.50/hour (PERRY 2012, p.178).

of the deception. BAUMRIND (1964, p.422) argued, as others did later, that the research was unethical because its deception subjected participants to undue psychological stress, claiming also that "his casual assurance that [stress was] dissipated before the subjects left the laboratory is unconvincing." Some of the controversy around the ethical entailments of the experiments seemingly issued also from his having the lab-coated "experimenter" insist that research subjects continue to administer the shocks, rather than terminating the encounter at their first-expressed hesitations. [20]

Here lie three central concerns regarding the ethics of deception in psychological experimentation, where it was commonly used at the time:

1. Did the experiment expose participants to undue psychological stress, which the deception rendered them unable to avoid (i.e., no *informed* consent)?
2. Were subjects properly debriefed (arguably alleviating that stress)?
3. Could the same research goals have been achieved without deception? [21]

Although refined since then, these questions form the backbone for assessments of deceptive research in psychology to this day (see AMERICAN PSYCHOLOGICAL ASSOCIATION, 2017, Sections 8.05, 8.07, and 8.08). We will apply them to all five cases, even the field research ones. [22]

Clearly, MILGRAM's subjects were subjected to stress. On the matter of the second question, MILGRAM (1963, p.374), presenting the first experiment, briefly described dehoaxing:

"[P]rocedures were undertaken to assure that the subject would leave the laboratory in a state of well being. A friendly reconciliation was arranged between the subject and the victim, and an effort was made to reduce any tensions that arose as a result of the experiment." [23]

He expanded on this in his reply to BAUMRIND:

"A careful post-experimental treatment was administered to all subjects. ... [A]ll ... were told that the victim had not received dangerous electric shocks. ... The experiment was explained to the defiant subjects in a way that supported their decision to disobey the experimenter. Obedient subjects were assured of the fact that their behavior was entirely normal and that their feelings of conflict or tension were shared by other participants. Subjects were told that they would receive a comprehensive report at the conclusion of the experimental series. In some instances, additional detailed and lengthy discussions of the experiments were also carried out with individual subjects. ... All subjects received a follow-up questionnaire regarding their participation in the research, which again allowed expression of thoughts and feelings about their behavior" (MILGRAM, 1964, p.849). [24]

Assessing his 1963 interviews with 32 of MILGRAM's subjects, psychiatrist Paul ERRERA (1972, p.400) concluded, "none were found ... to show signs of having

been harmed by their experience. The largest number claimed to have enjoyed participating in the project." SOBLE (1978, p.43) reported finding no long-term psychological harm to over 98% of the subjects.⁴ [25]

On the third question, even critics such as KELMAN (1967) do not question the need for some deception for hypotheses such as MILGRAM's. Replicating MILGRAM's fifth experiment, BURGER (2009) still had to use deception. SIEBER and TOLICH (2013, pp.53-54) praise MILGRAM's ethical procedures (debriefing, the follow-up survey), given the state of ethical discussion at that time; they never challenge the necessity of deception. [26]

Between 1930 and the 1970s, the number of published social psychology articles reporting the use of deception increased from under 10% to 50% (PERRY, 2012, p.317, n.33). Reviewing the pre-1964 research, HARRIS (1988, pp.193-194) notes that most did not reveal their deceptions. MILGRAM, that is, apparently conformed to contemporaneous disciplinary practices, including existing APA ethics guidelines (PERLSTADT, 2013, pp.73, 59). Moreover, his debriefing processes were scrutinized by an NSF committee in a site visit, the "equivalent of a human subjects review" (p.56). Why he has been singled out for critical attention is, then, puzzling—except for the explosiveness of his findings and their tie to Holocaust discussions.⁵ [27]

Analyses of newly accessible archival materials, however, challenge his reported procedures with respect to debriefing (e.g., NICHOLSON, 2015). The contrast between MILGRAM's research narratives and archival evidence suggests that his "published accounts represent a partial and in some cases idealized version of what transpired" (BRANNIGAN, NICHOLSON & CHERRY, 2015, p.553). MILGRAM, though, expressed his doubts privately, in his notes:

"Several of these experiments, it seems to me, are just about on the borderline of what ethically can and cannot be done with human subjects. Some critics may feel that at times they go beyond acceptable limits. These are matters that only the community can decide on, and if the ballot were held I am not altogether certain which way I would cast my vote" (quoted in PERRY, 2012, p.110). [28]

MILGRAM's research illustrates two facets of deception: deceiving about both research purpose and research procedures. The ethics remain polarizing; as more archival materials are released, debate is likely to continue. What is clear is that the work and critical responses have shaped both scholarly and regulatory conceptualizations of deception, thereby constraining understandings of its ethical entailments, instrumental value, and relationship to covert research. What is not clear is why this social-psychological experiment provides reasonable justification for regulating social science field research. [29]

4 PERRY (2012) disputes this; ELMS (2014) notes that her example selection is happenstantial.

5 MILGRAM sought to explain the compliant behavior of ordinary Germans and others during the Second World War; see, e.g., ELMS (2009). For one critical view of the relationship of his research design and findings to the behavior of ordinary people, see MASTROIANNI (2015).

2.2 ZIMBARDO

Psychologist Philip G. ZIMBARDO's "Stanford prison experiment," a simulation funded by the Office of Naval Research and approved by the Stanford Human Subjects Research Review Committee, began in the summer of 1971. First reported academically in a 1973 article (HANEY, BANKS & ZIMBARDO, 1973; the book appeared in 2007), ZIMBARDO designed a mock prison for a study of labeling. Potential subjects were recruited through advertisements offering \$15/day (\$92.91 in 2018 dollars)⁶, administered personality inventories, and interviewed by ZIMBARDO's graduate assistants, who selected an "'abnormally normal' group" for random assignment to the roles of guard and prisoner (ZIMBARDO, MASLACH & HANEY, 2000, p.224). ZIMBARDO himself adopted the role of prison superintendent; an undergraduate assistant played prison warden. The graduate assistants who had interviewed potential participants took on the roles of psychological counselors, "designed to keep [them] in close proximity to the inner workings of the prison" so they could collect data during the simulation (ZIMBARDO et al., 2000, p.225). Like MILGRAM, ZIMBARDO did not hide his researcher identity from subjects. Unlike MILGRAM, he did not foster deception through the use of confederates: subjects knew student assistants' true identities. [30]

By the end of the second day of the experiment, "guards" had begun to be abusive toward "prisoners." ZIMBARDO related that a colleague from another university visiting him on the fifth day called the abuse to his attention (DREIFUS, 2007). She observed how a "really nice guy" was "transformed in minutes" into a "really mean prison guard" (ZIMBARDO et al., 2000, p.216). Her intervention led ZIMBARDO to stop the experiment the next morning. [31]

Regarding the first question posed to MILGRAM's experiments, the matter of deception-induced stress is clear. HANEY et al. (1973) described its character: "prisoners" were subjected to unexpected, mock arrests at home, in full view of neighbors; in the prison, they were stripped, sprayed with a "delousing" preparation while standing naked, and later made to use the toilet under supervision, paper bags over their heads. Five prisoners were released early "because of extreme emotional depression, crying, rage, and acute anxiety" (p.10). ZIMBARDO later admitted that there was suffering, pain, and humiliation: "[W]e did not end the study soon enough. We should have terminated it as soon as the first prisoner suffered a severe stress disorder on Day 2" (ZIMBARDO et al., 2000, p.211). [32]

The archival evidence is not fully clear as to whether those recruited had sufficient prior information concerning research procedures on which to make an informed decision about their participation. For instance, in his human subjects review application, ZIMBARDO (1971a, p.2) indicated that deception would not be used "at any point." The recruitment information sheet (ZIMBARDO, 1971b) allows for exiting the experiment—underscoring its voluntariness—while at the

6 <http://www.dollartimes.com/calculators/inflation.htm> [Accessed: February 11, 2018].

same time indicating that subjects would be *expected* "to participate for the full duration of the study. It is obviously essential that no prisoner can leave once jailed, except through established procedures" (p.1), seemingly referring to what the consent form stipulates. That document begins:

"I ... hereby consent to participate as a volunteer in a *prison life study research project* to be conducted by the Stanford University Psychology Department. *The nature of the research has been fully explained to me*, including ... the fact that paid volunteers will be randomly assigned to the roles of either 'prisoners' or 'guards' for the duration of the study. I understand that participation in the research project will involve a loss of privacy ..." (ZIMBARDO, 1971c, n.p.; emphases added). [33]

But did participants fully understand what "a prison life study" and "loss of privacy" would entail? [34]

Most critics of ZIMBARDO's study do not question his claim that no deception was involved (e.g., SIEBER & TOLICH, 2013; KELMAN, 1982, p.96, concluded that there was no "deliberate" deception), but comparing the consent form with the human subjects review board application raises doubt. The latter's "Procedures" section, preceding the deception question, states: subjects "will however be *led to believe* that they cannot leave, except for emergency reasons"; the "Effects" section says, "[p]rison subjects will be *discouraged* from quitting" (ZIMBARDO, 1971a, pp.1,2, emphases added). Key aspects of these statements are not in the consent form, whose emphasis on the initial decision to participate seems an attempt to deter withdrawal. Only later did ZIMBARDO admit that he had not disclosed "the nature of the arrests and formal booking at police headquarters" in advance, misleading parents by putting "on a 'show'" to forestall them taking "their sons home if they fully realized the abusive nature of this mock prison" (2007, p.234). [35]

Did debriefing alleviate the stress, the second question? ZIMBARDO brought subjects together at the conclusion of the study for what he called "encounter sessions." He also conducted follow-up interviews. The guards, he noted, "suffered from the realization of what they had done under the cloak of their role," more so than MILGRAM's subjects because of their "awareness that their 'shocks' to the prisoners were all real, direct, and continual" (ZIMBARDO, 2007, p.234). But detrimental effects were not lasting, he asserted, because subjects were psychologically healthy, the experience was unique and confined to the lab setting, and the encounter-debriefing took them "off the hook" for any bad behavior (p.238). SIEBER and TOLICH (2013, pp.60, 66), however, doubt the effectiveness of the debriefing, commenting specifically that prisoners became "depressed and extremely stressed" and "the guards were psychologically brutalized, burdened to carry scars for life." [36]

Assessing the third question—whether a non-deceptive design could have achieved the same research ends—is less straightforward than in MILGRAM's research, due both to the study's premature termination and its somewhat ambiguous purpose. Both human subjects review board application and

recruitment sheet name the purpose as norm development related to labeling; the consent form says subjects are volunteering for a "prison life study." Could a labeling experiment—such as the classic Pygmalion effect (ROSENTHAL & JACOBSON, 1968)⁷—be conducted without deception? [37]

ZIMBARDO's subjects, like MILGRAM's, knew they were participating in research; the research was not covert. Unlike MILGRAM, however, ZIMBARDO presented himself to his subjects in two roles: researcher and participant; and he submerged his researcher identity within his prison superintendent role. Striving to emulate prison systems "under investigation by [governmental] oversight committees" (2007, p.234), ZIMBARDO identified so strongly with his situational role that he may even have shaped "guards" behavior through their initial briefing (P. GRAY, 2013). The mixing of roles adds another dimension to be assessed in terms of its ethical consequences, as we will see below. [38]

Once again, an experiment becomes questionable reason for regulating field research. Control over research settings, procedures, and participants is a key characteristic of experiments; deception arises in the first two. Such control does not obtain in field research: the character of deception changes as research methods change. [39]

2.3 HUMPHREYS

Laud HUMPHREYS' sociology dissertation research, completed in 1968 (published as a book in 1970), entailed two years' participant-observer ethnography featuring unobtrusive measures, with a second, six-month phase of follow-up survey research and observing. HUMPHREYS "pass[ed] as deviant" (HUMPHREYS, 1975 [1970], p.24), offering to stand guard, in the situational role of "watchqueen" (lookout), in several park restrooms ("tearooms") known as settings for homosexual encounters. As such sex was then illegal, he would alert those present if a police car appeared. Afterwards, he noted the men's and their cars' descriptions and automobile license plate numbers. This phase of the research was largely covert. Those he observed knew him in his role as watchqueen, not as researcher, with one set of exceptions: engaging a dozen men in conversation, he revealed his researcher role, later generating hundreds of hours of interviews. [40]

Subsequently, posing as a market researcher, he obtained access from "friendly" police to automobile license registers. Using telephone directories and other "archival" materials, he matched names and addresses to license plate numbers (p.38). A year after his tearoom-based research, disguising his appearance, he visited those men at home as part of a social health survey he was hired to

7 Teachers were told that certain students were expected to bloom that year, by contrast with others. Testing at the end of the year demonstrated greater achievement by that first group of students. ROSENTHAL and JACOBSON attributed the differences in test scores to the different labeling of the two student groups, which led each teacher to communicate, nonverbally, different expectations for performance to members of each group, and each group's members responded in keeping with the high or low expectations communicated to them.

conduct (p.41). This part of the research was deceptive: neither police nor survey respondents knew his full research purpose. [41]

HUMPHREYS' research proposal had been reviewed and approved by his Ph.D. committee. That approval included his collecting automobile registrations, done for sampling purposes at the suggestion of his dissertation supervisor Lee RAINWATER (HUMPHREYS, 1975 [1970], p.30). But other department members, learning about the research after its completion, argued that it violated research ethics, invading subjects' privacy and potentially threatening their social standing, jobs, marriages, etc. Several petitioned the university president to rescind his degree; in the ensuing year, some half of the department's members left for other universities (SIEBER, n.d.). Nevertheless, the book received the Society for the Study of Social Problems' C. Wright Mills award. [42]

The same three evaluative questions may be asked of HUMPHREYS' research. Assessing the first question, concerning undue psychological stress, requires evaluating the two phases of his project separately. For the covert observational phase, psychological stress would seem absent, as the men would not have felt surveilled; quite the contrary, they likely felt relieved by HUMPHREYS' presence at the watch. Stress-inducing risks would have been produced more by his Phase II home visits to men he had identified as homosexual—had they known of his research purpose. Being outed (in today's language) would likely have harmed their reputations, employment, and family relationships and led to arrest. HUMPHREYS was keenly aware of these risks, taking great care to mitigate them. Contrary to its presentation in textbooks and training materials, no evidence exists that his research harmed any of the participants/subjects, short or long term. [43]

Question 2, debriefing, presumes a controlled location—a laboratory—which subjects enter for a bounded period. Standard in experimental research, debriefing is not applicable to covert field research: it cannot correct for stress where subjects do not know they are being studied. Covert fieldwork often means (quasi-)public, anonymous observations; researchers would be unable to identify individuals observed, rendering debriefing moot. Additionally, debriefing those who have been studied covertly (or deceptively) might actually engender stress, something clear in HUMPHREYS' case. [44]

As to whether HUMPHREYS could have achieved his research goals without covert observation and deception, the third question, SIEBER and TOLICH (2013, pp.72-73) conclude that obtaining consent in Phase I would have been impossible. They do fault him, however, on Phase II: accessing automobile registries and entering the homes of those so located. Because he wanted license plate numbers to generate a sampling frame, they contend that HUMPHREYS' "only" ethical option was to forgo that aspect of his research design and expand his interviewing beyond his dozen informants. Having generated the location information, they further suggest that instead of putting the men further at risk by himself entering their homes, he should have used a postal survey or had others conduct the in-home interviews. [45]

We question these recommendations, given the contemporaneous anti-homosexual climate and HUMPHREYS' research goals. First, he described the time and personal contact needed to identify just those twelve tearoom visitors for extended conversations. Conceding retrospectively that the home visits could have endangered respondents vis à vis authorities (1975 [1970], pp.230-31), he notes that it would have taken him "another year or so" to cultivate additional "willing respondents" like the "intensive dozen." And this would have entailed additional risk: "Each time I start to involve another person ... I risk exposing that person to stigmatization" (p.225). Second, forgoing Phase II would have altered his research design—his goal of unobtrusive, representative research—as well as its outcome. A postal survey would have meant losing observations of subjects' customary environments; having others make observational visits would have required him to expose men's identities to the research assistants, increasing potential risk. Without the survey and home observations his book is likely not to have had the same destigmatizing impact, as that entails, in part, showing the ways in which a group is "normal." [46]

Unlike MILGRAM, who kept his ethical ruminations to himself, HUMPHREYS engaged his in print. He opens "A Question of Ethics" with a passage from sociologist Kai ERIKSON:

"So long as we suspect that a method we use has at least some potential for harming others, we are in the extremely awkward position of having to weigh the scientific and social benefits of that procedure against its possible costs in human discomfort" (HUMPHREYS, 1975 [1970], p.167). [47]

Arguing that ERIKSON's focus on methods implies that some subjects should not be studied, HUMPHREYS (1975 [1970], p.210) writes, "[w]e are not, however, protecting a harassed population of deviants by refusing to look at them," questioning whether any method exists without the potential to harm someone. [48]

The research, then, was both covert and deceptive. Phase I was covert, for most subjects, because they did not know they were being studied. But more than that: participant-observer field research rests on a researcher's dual roles, as both researcher and situational member (GANS, 1976). To conduct field research, the researcher must be present; to conduct covert field research, the researcher role must be backgrounded, foregrounding the assumed situational role. Covertiness hinges on disguised identities, not just on disguised research: the former is the primary means of ensuring that people are unaware they are being observed, enabling access that likely would be impossible otherwise. Using disguised identities makes no sense in experimentation, unless researchers are taking on the role of confederates; researchers can take on situational roles in simulations, but this risks role confusion, as we saw with ZIMBARDO, leading to unethical conduct. [49]

Phase II was deceptive, as HUMPHREYS disguised his research purposes and procedures, like MILGRAM and ZIMBARDO. Moreover, unobtrusive measures *ipso facto* entail a degree of deception, subjects being unaware that their material

worlds are evidentiary sources for inferences. "Procedure," however, means something different in field research than in experimentation. In the latter, it is "treatment"—MILGRAM's fake machine, ZIMBARDO's failure to reveal the mock arrest, etc. This can harm subjects directly. In field research, "procedures" are what the researcher *does*: moving about the setting (e.g., from tearoom to automobile), interacting with those present (e.g., as watchqueen or survey researcher), even making fieldnotes. Harms are generated by the researcher's presence. They have been characterized variously in terms of degradations of persons' autonomy, privacy, dignity or reputation. Harms from HUMPHREYS' neighborhood observations, conducted without interactions, were negligible. Those induced by his in-home survey could have involved all four degradations—although all depend on discovery by those studied and, especially for reputation, by outsiders, such as the police. [50]

In the end, the beneficence of HUMPHREYS' covert and deceptive research is not in doubt, having contributed to changes in policies and practices with respect to homosexuals (GALLIHER, BREKHUS & KEYS, 2004; NARDI, 1995; SIEBER, n.d.). SIEBER (n.d.), for example, notes that "Humphreys' research has helped persuade police departments to stop using their resources on arrest for this victimless crime." Furthermore, his work made a contribution to research methods, as well; as NARDI (1995, p.4) noted, it was described "as an ingenious way to uncover difficult-to-study forms of hidden behavior." [51]

3. ROSENHAN and LEO: Refining Understandings of Covertiness and Deception

MILGRAM's, ZIMBARDO's, and HUMPHREYS' research clarifies distinctions between covertness and deception and adds dimensions to what deception entails. Covert research disguises the fact of the research itself, as in HUMPHREYS/Phase I. In deceptive research, subjects know they are participating, but they are deceived about research purpose and/or procedures, as in MILGRAM, ZIMBARDO, and HUMPHREYS/Phase II. Expanding our comparative analysis by adding two other projects enables us to further sharpen our understanding: David ROSENHAN's pseudo-patient field experiment (1973) and Richard LEO's police interrogation participant-observer study (1996a, 2008). We selected them due to their profound impacts—on beneficence, theory, and/or methods—in their respective fields. Their research designs, uses of covertness/deception, and power relations all contrast with the troika; also, both studied "up" (NADER, 1972) and masked researcher identities, albeit in different ways. [52]

3.1 ROSENHAN

Wondering whether the validity and reliability of mental health diagnoses could be tested experimentally, psychology professor David ROSENHAN got himself admitted to a mental hospital, complaining of hearing voices (1973). Only the hospital administrator and chief psychologist knew his actual identity. Hospitalization led to a second dimension of the study: an inside look at staff-patient relations and the impact of labeling on behavior. The research was replicated in eleven other psychiatric hospitals by seven other pseudo-patients. All used pseudonyms; the mental health professionals among them disguised their occupations. The twelve hospitals were located in five different US states and varied by type (e.g., public-private, urban-rural). All pseudo-patients behaved "normally." Wanting to be released quickly, they cooperated with staff—other than pretending to swallow the medications for treating their "condition." [53]

Subsequently, a research-and-teaching psychiatric hospital's staff heard about the experiments and doubted that pseudo-patients could gain access there. ROSENHAN agreed to send one or more pseudo-patients to attempt admission over the next three months. Of 193 presenting patients during that time, various staff suspected 83 of pretending to be ill. In fact, no pseudo-patient appeared, the designated individual falling ill the appointed day. [54]

ROSENHAN's study was covert, like HUMPHREYS/Phase I: those being studied did not know it. Unlike HUMPHREYS', ROSENHAN's research was conducted in private arenas, with formal access. He addressed protecting institutional and individual identities: "Obviously, since my concerns are general ones that cut across individual hospitals and staffs, I have respected their anonymity and have eliminated clues that might lead to their identification" (1973, p.258, n.9). He did not directly address the first two of the three key questions, "undue psychological stress" on the part of hospital staff or debriefing. But he did engage the third, the necessity of covertness, which he termed "concealment." Concerning the decision to disguise identities and fake symptoms, he wrote:

"However distasteful such concealment is, it was a necessary first step to examining these questions. Without concealment, there would have been no way to know how valid these experiences [of psychiatric diagnoses and of hospitalization] were; nor [would] there [have been] any way of knowing whether whatever detections [of pseudo-patients] occurred were a tribute to the diagnostic acumen of the staff or to the hospital's rumor network" (ibid.). [55]

Unlike MILGRAM, although ROSENHAN's subjects—hospital personnel—interacted with researchers, they did not know the latter's true identities. Unlike ZIMBARDO, ROSENHAN and his team were constantly aware of their dual roles, taking notes on their observations (which, ironically, personnel-subjects integrated into their diagnoses). In terms of beneficence, at least partly in response to this research, the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders (DSM) II*—which defined mental illnesses for practitioners and insurance companies, treating symptoms as if they were

objectively discernible—was revised, removing or redefining several "illnesses" (including homosexuality). Unlike HUMPHREYS vis à vis most of his subjects, then, ROSENHAN-as-patient was studying "up," observing professionals in powerful positions, taking on institutionalized policies and practices. This is the crux of determining whether covertness and deception are warranted in politically fraught studies. [56]

3.2 LEO

For his criminology Ph.D. dissertation, Richard LEO set out to study a practice normally hidden from outside view: police detectives' interrogation of suspects. After two years of negotiation, he obtained permission from its chief to conduct a participant-observer study in a large, urban police department in "Laconia." Introduced as a researcher by the captain to the lieutenants heading the Criminal Investigation Division's (CID) five sections and by them to their detectives, LEO was still not welcome in the interrogation room: interrogators "feared that I was a radical Berkeley graduate student hellbent to discover and expose police misconduct" (LEO, 1996b, p.124). LEO described his strategy to overcome this distrust as "spend[ing] as much time as possible getting to know them and letting them get to know me in my new research role, *while seeking to blend into*, and thus become accepted as a normal part of, their daily work environment" (1995, p.119, emphasis added). [57]

Blending in meant that LEO worked "to break down the detectives' academic and political stereotypes while *reinventing [himself]* in a role that was nonthreatening to them and thus conducive to acquiring the data [he] was seeking" (ibid., emphasis added). He calls this the "'chameleon strategy' of research access: I *consciously reinvented* my persona to fit the attributes, biases, and worldview of my subjects." Shaving his beard, cutting his hair, and changing his clothes to "mimic" theirs, he "drew on a strategy well known to field researchers ..." (LEO, 1995, p.120). His purpose was

"to demonstrate an empathetic understanding of the detectives' actions, problems, and outlooks. ... I *feigned* conservative politics ... I *fabricated* a nonthreatening research persona in order to establish rapport with the detectives, acquire their trust, and gain observational access into the highly exclusive and secretive setting of interrogations. As the detectives' stereotypes of me began to break down, I succeeded in acquiring the access and data I was seeking" (p.121; emphases added). [58]

Once that happened, "they appeared to be far less concerned with my political values and the potential for exposure. And, correspondingly, I felt less guarded in their presence" (LEO, 1996b, p.124). The pretense, however, was apparently not without cost to LEO himself, who, like HUMPHREYS but unlike MILGRAM, reflected in print on the ethical implications:

"Although all field researchers must assume social roles that fit into the worlds they are studying, there are personal and moral costs associated with enacting such role pretenses. ... I acted in ways that I would consider morally reprehensible in other

contexts. ... I conned the detectives ...; in effect, I intentionally manipulated my research subjects. Privately, I felt uncomfortable about my actions" (LEO, 1996b, p.124). [59]

LEO's 2008 book won three awards (two from the Society for the Study of Social Problems Law and Society Division, one from the Academy of Criminal Justice Sciences); his data and the analysis they buttressed produced a stream of publications on police interrogation practices and the "false confession" problem these interrogations sometimes produce. He was lauded for opening these settings up to oversight, cited by US appellate courts and the US Supreme Court. [60]

As LEO's field research was not covert—interrogators knew he was a researcher doing research—the first two questions, "undue psychological stress" and proper "debriefing," do not apply. The third question, concerning deception's necessity, however, is central, but it bears on LEO's presentation-of-self, not on research purposes or procedures. His selective self-presentation led to a fierce exchange with eminent sociologist Kai ERIKSON (1995, 1996), whose essay on disguised observation (ERIKSON, 1967) HUMPHREYS had quoted nearly three decades earlier. LEO admitted that his "chameleon strategy" misled people about his political worldview, but "to have represented myself differently would surely have ... blocked my ability to penetrate the code of secrecy surrounding interrogation practices inside Laconia's CID, and thus would have prevented me from acquiring the kind of data I was seeking" (1995, p.121). ERIKSON countered that under the circumstances, LEO should not have done the research: "The price Leo thought he had to pay for the opportunity of observing what went on in those interrogation rooms was to *lie* repeatedly about himself" (ERIKSON, 1995, p.9; emphasis added). [61]

This exchange adds to ROSENHAN's "concealment" in elaborating a third dimension of deception: can self-presentation potentially harm subjects/participants? HUMPHREYS/Phase I and ROSENHAN's healthcare professionals masked their occupations; LEO masked his values and beliefs. Harms from interacting with people who are not what they seem are of a different order from those issuing from experiments. ZIMBARDO manifests a variant: less a consciously shaped presentation-of-self than a submerging of his self-awareness as researcher into his prison superintendent persona. In most experiments, researchers keep their distance from their subjects, like MILGRAM; but ZIMBARDO involved himself to such an extent that he put his research—the "integrity of my prison" (ZIMBARDO et al., 2000, p.212)—above the well-being of his subjects. Here, the harm is clear, akin to physician-researchers' elevating research above therapeutic responsibilities. Regulators saw this as a key reason—a "conflict of interest" justification—for human protections systems: restraining researchers' interests in their findings from overriding subjects/participants' well-being. But are these the harms of field research deception/covertness? [62]

4. Learning from the Studies about Covertiness/Deception and Harms

"... the truth, the whole truth, and nothing but the truth ..." (Oath, English law courts, 13th century on)

What makes distinguishing between covertness and deception difficult is that the former entails a form of deception: physically present researchers altering self-presentation, disguising their researcher role as they take on situational roles. We have, then, three different facets of deception bearing on informed consent and a study's ethics:

1. Is research *purpose* fully revealed?
2. Are *procedures* fully disclosed prior to the study?
3. What is the researcher's *self-presentation*? [63]

These are summarized for the five studies in Table 2.

Table 2: Study context, covertness, and deception in five studies. Click [here](#) to download the PDF file. [64]

To recap: Covertness concerns *subjects'/participants' lack of awareness that they are being studied*, a lack that is enabled by researchers' altered self-presentation—HUMPHREYS as "watchqueen"; ROSENHAN as patient; neither as researcher. Deception concerns participants, knowing they are participating in research, *not having a full, accurate picture as to what the research entails* with respect to purpose, procedures, and/or researcher self-presentation. MILGRAM and HUMPHREYS/Phase II deceived their subjects on the purpose of the research (it was not a learning study, as advertised, or just a social health survey). MILGRAM also deceived them on procedures (using confederates), as did ZIMBARDO (with surprise "arrests"). Doing covert research, neither HUMPHREYS/Phase I nor ROSENHAN deceived on purpose or procedures: those deceptions come into play only if subjects/participants know they are involved in research. ZIMBARDO and LEO are particular cases of self-presentation: ZIMBARDO lost track of his researcher responsibilities; LEO intentionally adapted his persona, his research demonstrating that disguised self-presentation need not be used to enable covert research. But as Erving GOFFMAN (1959) observed, crafting a situational persona is a common practice in everyday life. Choosing what aspects of ourselves we present to others and which we try to keep hidden does not mean that we are living unethical lives. Likewise, it need not mean that field researchers are necessarily being unethical. [65]

These distinctions are useful for differentiating field research harms from the harms of laboratory experimentation, the baseline conceptualization of research in the Belmont Report. Two research design features in particular are relevant to clarifying and assessing the impact of deception and covertness on subjects/participants. [66]

The first of these is researchers' comparative control over settings and subjects/participants. Experimentalists exercise extensive control over both. Having already been recruited and selected according to researcher-established criteria, subjects just report to researchers' labs. Experimentalists decide, unilaterally, what will happen; the ethical impact of their decisions is more targeted. With purpose- or procedures-deception, experimentalists' control gives them the means—debriefing—to address that harm before subjects depart or later on. Field researchers lack such controls: they neither design research settings nor invite participants who are native to them into those settings—because they are already there. HUMPHREYS/Phase I, ROSENHAN, and LEO could not dismiss "locals" for not fitting their projects. The control they do exercise is over their presentation of self, linked to their ability to move around the setting, including enhancing their exposure to various sorts of people, activities, events, and so on. [67]

The extent of researcher control is essential to assessing whether and, if so, how self-presentation harms participants. To "access" subjects, neither MILGRAM nor ZIMBARDO had to self-present as anything other than researcher (even if ZIMBARDO chose to do otherwise). "Access" is always in experimentalists' hands, as they control the settings; their challenge is attracting subjects. In field research, however, access to participants often hinges on self-presentations, as HUMPHREYS, ROSENHAN, and LEO illustrate. As it is carried out in natural settings, the researcher becomes one more actor in the field, and both participants and researchers adjust their presentations-of-self in "natural" interpersonal interactions. Field research's harms potentially occur through such daily interactions, not through treatment harms. In politically charged settings, the use of covertness/researcher-disguise may actually protect those studied: not knowing they are being observed gives them plausible deniability if the research is discovered; the accountability onus is on the researcher. HUMPHREYS, ROSENHAN, and LEO appear to have assumed—correctly, in retrospect—that participants would never discover their deceptions either during the research or thereafter. Outrage has come from others, such as ERIKSON, reading the published studies, experiencing harm vicariously. [68]

The second feature is power manifested in the researcher-researched relationship. In experiments, control is power: no matter the subjects' backgrounds, the researcher always has power over them; studying up, down or laterally is irrelevant. In field research, power is broader than control over a laboratory. Researchers' success depends on others situationally more powerful than they: participants are already "there"; determining access and whether research proceeds is in their hands. HUMPHREYS' tearoom denizens and homeowners could have evicted him; once admitted, ROSENHAN and his co-researchers were subordinate as mental patients to hospital staff; LEO's detectives could have ejected him from the interrogation room. [69]

Power differentials are central in studying up: the interests of people in powerful positions may lie in preventing research on their institutions and practices, the possible sources of their positions and power. In such circumstances, covertness

and/or deception appear reasonable design possibilities; without them, research would be impossible. HUMPHREYS, for example, was studying down and/or "across," given his vulnerable subjects. But his study, like TOMKINSON's (2015), took place in the context of state and police power—a scenario not imagined by the Belmont Report framework. Covertiness/Phase I and deception/Phase II seem necessary for undertaking the project at all. [70]

One final observation might be useful, picking up ERIKSON's accusation that LEO was lying (quoted above). He is not the only critic to have voiced that notion. BAUMRIND (2015) continues to criticize MILGRAM as "lying." WARWICK (1975) inveighed against deception altogether, including the Pygmalion study and MILGRAM's experiments: this is lying; lying is wrong. He brooks no exceptions: context and the societal value of the knowledge gained—that is, beneficence—are not to be considered, Nuremberg and research ethics policies notwithstanding. [71]

Accusing someone of "lying" brings a "Thou shalt not" absolute moralism to the discussion. This charge constitutes a seemingly unspoken underpinning of much of the criticism of covertness/deception, coloring many of the judgments concerning the ethics of their use. Its Anglo legal oath form (in this section's epigraph) adds some additional nuance. Parsing the oath makes visible the entire discussion's methodological character. Its tenor is rooted in the singularity of "truth" assumed to be the object of science, a presupposition grounded in early 19th century positivist thought and its descendants. By parsing singular truth in two aspects, lies of omission (the whole truth) and lies of commission (nothing but the truth), the oath suggests a greater complexity concerning lying and truth-telling which is not captured in judgments such as ERIKSON's. HUMPHREYS, ROSENHAN, and LEO depict a range of self-presentation types, from disguised researcher identity to "inauthentic" presentation of beliefs and values. Both HUMPHREYS and ROSENHAN disguised their researcher identities. But once admitted to the hospitals, ROSENHAN and his team could be their everyday selves, even to the point of taking research notes, whereas whether HUMPHREYS was out of the closet in the tearooms is unknown. LEO was decidedly "in the closet" concerning his own beliefs and values, but his research identity was fully on display. [72]

Replying to ERIKSON, LEO (1996b, p.123) suggests that a less absolutist, universal condemnation of deception and covertness is called for: "[F]ieldwork is a morally ambiguous enterprise. The acceptability of deception varies by its type and degree, by the context in which it is employed, by the roles and relationships we assume, and by the goals and objectives we pursue." Still, however well those understandings of lying and truth-telling suit the legal setting and its goals, for assessing covertness and deception in research they remain inadequate. Which researcher presentation-of-self is authentic—"the whole truth"—and which, a lie? Can a participant-observer present a "true" self? For that matter, what about subjects' presentations-of-self, whether in focus groups, interviews or field settings: are they not also shaping public personae? Even experimentalists struggle with the "authentic" character of relationships. Discussing deception in

experiments, for instance, SLONE and HULL (2005, p.213, quoting KELMAN) admonish researchers to remember "that the experimenter-subject relationship is a real relationship 'in which we have responsibility toward the subject as another human being whose dignity we must preserve'." But even in "real" relationships there is a partial and shaped presentation of self—on both sides. [73]

Delving into these five studies suggests that understanding deception and covertness is not only a matter of parsing definitions and moral certitude. Certainly, researchers would not want to be caught lying—and who wants to be lied to? But the matter is not simple. The danger of approaching deception/covertness as lying is that it paints normal, ubiquitous human conduct—everyday, partial representations-of-self—as morally reprehensible, resorting to black-and-white moral logic (FUJII, 2010). But in field research, such black-and-whiteness is not helpful in bringing clarity to assessments of covertness and deception. [74]

Comparing the five cases shows that covertness and deception and concerns about them differ from discipline to discipline, method to method, field setting to field setting. To take but three disciplines: In experimental psychology, deception continues to be accepted, although not always uncontested (BAUMRIND, 2013; MILLER, 2013). In sociology, the status of covert research, since the 1930s virtually part of the definition of participant observation (BECKER & GEER, 1957; see initial epigraph), has changed over the ensuing decades. The AMERICAN SOCIOLOGICAL ASSOCIATION (1999) approved adding conditions for the use of covertness/deception only in 1997, explicitly tying it to institutional review board approval. The American Political Science Association's ethics guide refers members to federal regulations, only. [75]

With respect to methods, treating deception and covertness as synonyms implies that they harm uniformly across all research modes. But whereas their uses in medical experimentation have clearly led to infractions of the most egregious character, documented by PAPPWORTH (1967), among others, it is not clear that in other forms of research, they are similarly injurious. Much as different disciplines generate their own understandings of what these terms entail, different methods do the same, reflecting their own histories and attendant disciplinary cultures. Further empirical analysis is needed across a range of social science field research projects, by discipline and method, to assess whether and under what conditions covertness/deception is used legitimately. [76]

Specifically, what is needed is empirical evidence about the harms field research participants have actually experienced. Whereas experimentalists' treatment-debriefing is closely linked temporally and is, therefore, more easily studied, how harms unfold in field research is less known. Harming depends on a chain of events:

1. participants discover covert research or "inauthentic" researcher self-presentation while it is ongoing;
2. research dissemination reaches participants or others in their sphere;
3. some participants experience harm, through either the first or the second of these events. [77]

The harm's character (to autonomy, privacy, dignity or reputation, or as betrayal), extent, and longevity presumably varies by participant. The likelihood of participants' discovery (the first of these events) is unknown. The likelihood of the second taking place is also unknown, although it has probably increased because of the internet and as more field researchers study "at home." The likelihood of the third is also not clear. Finally, experienced harms could be compared to those resulting from other actors—e.g., governments, corporations—which surreptitiously monitor citizens' activities. These possibilities and potentialities are complex and, to our knowledge, have not been studied systematically, unlike harms in psychology. Also missing are "third-party harms," e.g. to MILGRAM's confederates, ZIMBARDO's student assistants, LEO's suspects. Having more substantive information about harms would improve assessments of a project's risk vis à vis its beneficence. [78]

5. Beneficence

"[T]he right to give or withhold consent may be a lesser good than the public right to know" (HOMAN, 2006, p.101).

One other, key dimension has been absent from textbooks and training manual discussions, although it is ensconced in ethical codes and regulations and discussed by defenders of deception (e.g., MARZANO, 2012; SCHEPER-HUGHES, 2004): the principle of beneficence—"assessing potential research risks in light of *expected societal benefits*," the Belmont Report's operationalization, noted in Table 1. HUMPHREYS' response to ERIKSON concerning refusing to study deviant populations—that it does not help them—ties directly to this. One may wish to argue that ends do not justify means; but that is precisely how the Common Rule and previous ethics codes framed matters. These codes have put a "right to know" beneficence on a collision course with a "right to privacy." Parsing risks and benefits in social science research and the place of deception/covertiness in it must also consider critical inquiry into governments, organizations, and other powerful entities, seeking to hold powerful institutions and leaders accountable. Yet interpretation of the putatively context-free ethics principles has evolved such that "'good research' prioritises avoiding risk and harm over achieving benefits" (REDWOOD & TODRES, 2006, §1). [79]

What beneficence means in practice is not exactly clear. Nuremberg rejected the idea that contributions to scientific knowledge can justify brutal treatment of subjects. But at the regulatory level, at least in the US, the complex challenge lies in translating the principle into guidance for ethics committees. Per the Belmont

Report (NATIONAL COMMISSION, 1978, p.7), "members of the larger society are obliged to recognize the longer term benefits and risks that may result from the improvement of knowledge." But US federal policy, "Criteria for IRB Approval of Research" (45 CFR §46.111[a][2]), appears self-contradictory. Risks to and benefits for subjects are to be compared to "the importance of the knowledge that may be reasonably expected to result" from a study. In the same paragraph, however, IRBs are expressly prohibited from considering "possible long-range effects of applying knowledge gained in the research (for example, the possible effects of the research on public policy" (CODE OF FEDERAL REGULATIONS, 2009), eliminating one way a research proposal can indicate potential beneficence. [80]

Tethering US regulatory policy to an experimental model of deception posits a powerful researcher and relatively vulnerable subjects, as discussed above. Regulators elsewhere, however, have taken politically charged research on board. Canada's 2010 Tri-Council Policy Statements revisions are of central significance to politically fraught studies, in whatever discipline, especially in today's political climate:

"Research in the form of critical inquiry, that is, the analysis of social structures or activities, public policies, or other social phenomena, requires an adjustment in the assessment of consent. ... Where social sciences or humanities researchers seek knowledge that critiques or challenges the policies and practices of institutions, governments, interest groups or corporations, researchers do not need to seek the organization's permission to proceed with the proposed research. If institutional approval were required, it is unlikely that research could be conducted effectively on such matters as institutional sexual abuse or a government's silencing of dissident scientists" (CANADIAN INSTITUTES, 2010, pp.35-36). [81]

Important knowledge and insights from research would be foregone.

"[Research Ethics Boards] should also be aware that some research, involving critical assessments of public, political or corporate institutions and associated public figures, for example, *may be legitimately critical and/or opposed to the welfare of those individuals in position[s] of power, and may cause them some harm. There may be a compelling public interest in this research*" (ibid., emphases added). [82]

The policy explicitly recognizes the potential contributions of covert research to the public interest for the kinds of dynamics that studies of power engage. [83]

The five studies discussed here were judged *in their time* to have benefited society; their various awards are proxies for this recognition. These are summarized in Table 3.

Table 3: Beneficence across the five studies. Click [here](#) to download the PDF file. [84]

MILGRAM's research had profound impact on societal and theoretical understandings of authority relations; even with the archive-based reassessments

of his research procedures, his framework and findings continue to have their defenders (e.g., MILLER, 2016; REICHER & HASLAM, 2011) and to generate thinking about a range of research conduct, including ethics issues (NIEMI 2015, pp.10-12). Even ZIMBARDO's truncated project is considered to have enhanced understandings of authority relations; over 30 years later, his research was deemed significant for the defense in the court-martial of a guard at Abu Ghraib prison (DREIFUS, 2007). Contributions to institutionalized policies and practices are especially evident in HUMPHREYS', ROSENHAN's, and LEO's projects. ROSENHAN's exemplifies the point: without covertness, the researchers could not have tested the validity of psychiatric diagnoses or learned about the experience of hospitalization. [85]

Textbook and training manual condemnations of the research troika commonly omit these three projects' beneficence in favor of their presumed ill-treatment of subjects/participants, judging the research according to today's criteria and ignoring, for instance, that MILGRAM followed the APA ethics code and ZIMBARDO's research was reviewed. Some misrepresent the research record outright. The IRB "Member Handbook," for instance, exaggerates, without citation, that "[m]any" of MILGRAM's subjects were very upset by "the cruelty of their actions"; it asserts, incorrectly, that HUMPHREYS revealed his subjects' identities (AMDUR & BANKERT, 2011, pp.13-14). BAILEY's ethics-training's representation (2014) of HUMPHREYS—that he endangered subjects—is especially injurious due to its widespread use in training US social scientists. These misrepresentations constitute evidence consistent with the troika operating as a policy myth. [86]

6. The Troika and Social Science Regulation: Concluding Thoughts

"... strategic dishonesty may sometimes be necessary in order for us to act in an ethical manner ..." (HAMMERSLEY, 2009, p.214, citing Saville KUSHNER).

Critically assessing ethics review policies enjoins two, related, empirical questions. Is there evidence that regulatory policies have prevented malfeasance? Is there systematic evidence of ethical breaches in social science field research such that its regulation is necessary? We have attended only to the second question here, given its direct links to deception/covertness, although as JORDAN (2013, p.106) observes, ethics reviewers have taken the lesson from MILGRAM's experiments "that researchers ... can be halted from harming participants only by submission to the authority of ethics review boards." But ZIMBARDO and MILGRAM did pass prior review, which that lesson overlooks. [87]

As to the second question: That medical experimentation deceived in abusive, unethical ways is undisputed. In Tuskegee and elsewhere, patient-subjects were deceived about their "treatment's" purpose and procedures; physician-researchers at times elevated their research goals above patient care. An experimental research design model in which the researcher is "top dog" enables such harms; people are truly in need of protection when experimentalists forget that subjects are not "guinea pigs" (per the Russian researcher, Section 1.1

epigraph). Informed consent's medical history has so elevated the notion, that social scientists who challenge its use are held suspect. Condemnation by moral absolutists travels to deception/covertiness from attitudes about lying. But in much social, political, and organizational field research, researchers are often the less powerful persons, at times even themselves needing protection—e.g., from military personnel in (post-)conflict research settings (e.g., SRIRAM, KING, MERTUS, MARTIN-ORTEGA & HERMAN, 2009). This means not only rethinking vulnerability in light of the power dynamics of research relationships, but rethinking the circumstances under which it might actually be more ethical to use covertness and deception than to forbid them, as HAMMERSLEY (epigraph above) suggests. [88]

The three studies we began with cast a long shadow over these discussions. MILGRAM's and ZIMBARDO's, in particular, have shaped not only psychologists' views, but also—because US policymakers have treated psychology as *the* social science—regulators' approaches to risk, deception/covertiness, and researcher trustworthiness in all social sciences. Despite its significant design differences, HUMPHREYS' research has been joined to that cause. Published just as medical-experimental malfeasance began to draw public notice, with research ethics regulations beginning to take shape, all three projects attracted widespread attention, albeit for different reasons. MILGRAM's and ZIMBARDO's experiments stand out for their drama; films of agitated subjects fascinate the general public to date. HUMPHREYS' research stands out for its subject matter, the imaginary of anonymous, homosexual sex in public restrooms, explosive at the time, very likely influencing reactions to the research design, the findings, and the researcher. The realities of institutional power—including the governments and boards that regulate researchers—may suggest one of the reasons the troika is continually invoked: parroting received wisdom, their repetitions enable a convenient policy myth, blocking further inquiry into ethical issues that ill fit the current framework. Regulators do not want to start over—even if regulatory designs exist that would better serve all concerned (e.g., FEELEY, 2007). One result is both over- and under-regulation: boards dither over superficialities (TILLEY, POWICK-KUMAR & RATKOVIĆ, 2009) while missing significant ethical issues faced by field researchers studying the (ab)uses of power, covertly. [89]

In our view, the control and power differences between experimenters and field researchers are what eliminate MILGRAM and ZIMBARDO as rationales for regulating field research. HUMPHREYS, whose field research actually harmed no one and improved the lives of many, exemplifies the opposite of what he is used to support. But there is more to it than that. Whereas ethics regulations focus on harms to individuals brought by medical experimentation, leading to the question of whether scientists have a "right" to do research, a more collective approach might be taken. We might ask instead: Do scholars have *an obligation* to do research—contributing to society in exchange for being the beneficiaries of public and civic funds, whether through subsidized education, grants or the privileges of higher education? In that case, we—especially in the sciences—have an ethical obligation to do research *that matters*, including, for the social sciences, research that tackles institutions that are harming society in one way or another. Such

research can justify deception and/or covertness if understanding of those concepts is revised to sort actual from imagined or speculative harms. [90]

Thinking about the ethics of covert and deceptive social science field research will have to transcend deception/covertiness' use in psychology, the legacy of the experimental paradigm, and superficial treatments of the MILGRAM-ZIMBARDO-HUMPHREYS troika. It must include differentiating between the power and control circumstances of experimentalists such as MILGRAM and ZIMBARDO and those of field researchers such as HUMPHREYS, leading to a more nuanced engagement with deceptive and covert research in politically fraught settings, such as SCHEPER-HUGHES' (2004) study of organ-trafficking. Indeed, covertness/deception may be called for when societal benefit outweighs the black-and-whiteness of "Thou shalt not bear false witness." As LEO (1995, p.121) put it, "In some environments, strategies based on impression management and deception may be necessary in order to obtain hidden and dirty data"; moreover, "the standards necessary to carry out the role of a morally competent field researcher of deviant subjects are necessarily different than the standards by which we judge morally competent human beings." Even ERIKSON (1967, pp.372-373) remarked on the absurdity of insisting "that sociologists should always introduce themselves as investigators everywhere they go and should inform every person who figures in their thinking exactly what their research is all about." [91]

Other ethical questions will also need to be explored, including: Who needs protection from whom? Do citizens only need protection from researchers? Might they also benefit from research that critically investigates governments, corporations, and other powerful entities? Who should decide these ethical issues, and on what grounds? Are we to continue to treat deception and covertness in terms of "universal" ethical principles deriving from one discipline, one research design, and perhaps one cultural system, or shall we look to more nuanced, context-specific understandings of these concepts? Clearly, we think the latter. [92]

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