

Speaking of Epistemic Injustice: A Reply

Hopman, Marieke Janne; Jama, Guleid Ahmed; Zvonareva, Olga; Hoļavins, Artūrs

Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:

Hopman, M. J., Jama, G. A., Zvonareva, O., & Hoļavins, A. (2023). Speaking of Epistemic Injustice: A Reply. *Journal of Human Rights Practice*, 15(2), 374-394. <https://doi.org/10.1093/jhuman/huad019>

Nutzungsbedingungen:

Dieser Text wird unter einer CC BY-NC-ND Lizenz (Namensnennung-Nicht-kommerziell-Keine Bearbeitung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:

<https://creativecommons.org/licenses/by-nc-nd/4.0/deed.de>

Terms of use:

This document is made available under a CC BY-NC-ND Licence (Attribution-Non Commercial-NoDerivatives). For more information see:

<https://creativecommons.org/licenses/by-nc-nd/4.0>

Speaking of Epistemic Injustice: A Reply

Marieke Janne Hopman,^{*}  Guleid Ahmed Jama^{*} Olga Zvonareva,^{*}
Artūrs Hoļavins,^{*} and Anonymous^{*}

Abstract

In this article, we reply to ‘Ethics and Epistemic Injustice in the Global South’ (Kaur et al. 2023), a response to the original article ‘Covert Qualitative Research as a Method to Study Human Rights Under Authoritarian Regimes’ (Hopman 2022). Our reply is written by authors who have expertise and direct experience with the issues at stake (authoritarianism, Global North/Global South relations, covert research methods, epistemic injustice). We show that while there are some interesting points raised in the response article, in general, it does not do justice to the arguments presented in the original article. Instead it constructs a ‘straw man’ by misrepresenting claims in the original article, attributing to it assumptions that were not there, and lumping together notions such as authoritarian zones and Global South, that were not equated in the original article. After providing arguments for this position and discussing the main topics of the critique, we present two new elements: first, a contribution by someone from Moroccan controlled Western Sahara (MCWS), who experienced covert research as a research participant. Second, an overview of lessons learned from this exchange. These include: 1) instead of authoritarian zones, ‘authoritarian situations’ is a more appropriate concept; 2) projects using covert research should strive to include overt and participatory elements; 3) a response article alleging epistemic injustice should create space for the people concerned to speak for themselves.

Keywords: authoritarian situations; covert research; epistemic injustice; Global North; Global South

1. Introduction

In February 2022, this journal published the article ‘Covert Qualitative Research as a Method to Study Human Rights under Authoritarian Regimes’ (Hopman 2022) (hereafter: ‘the original article’). This article had two purposes: first, to ‘contribute to a longer standing debate on the ethical acceptability of covert research methods’; second, ‘to provide practical guidance to researchers (both academic and non-academic) who are considering using this method to study human rights violations’ (ibid, abstract). To illustrate the ethical and practical dilemmas inherent to covert qualitative research, the author discussed examples from her study on the rights of children living in the part of Western Sahara that is under Moroccan control (MCWS). In the original article, the second purpose (practical guidance for researchers) was the more important one, which took up most space (about 75 per cent), compared to a discussion of the ethical considerations. This choice was made for

^{*} Marieke Hopman is a Dutch national and a children's rights researcher at Maastricht University, the Netherlands; Guleid Ahmed Jama is a Somaliland national and an external PhD candidate at Maastricht University, the Netherlands; Olga Zvonareva is a Russian national and a science, technology and society scholar at Maastricht University, the Netherlands; Artūrs Hoļavins (Artur Holiavin) is a Latvian national, and a postdoc researcher at Maastricht University; Anonymous is a young Sahrawi adult who lives and works in the part of Western Sahara that is under Moroccan occupation.

several reasons, including word limitation, gaps in existing literature, and an estimation of what might be relevant to the readers of the *Journal of Human Rights Practice*.

In May 2023, this journal published a response article, written by a group of researchers from Tilburg University, the Netherlands (Kaur et al. 2023, hereafter ‘the response article’). The response article focuses on the first purpose of the original article: the ethical discussion related to covert research methods. In particular, the article comments on the three conditions proposed by the original article, under which covert qualitative research in authoritarian zones would be ethically acceptable: 1) the research aims to contribute to the protection of human rights, 2) research subjects remain anonymous, and 3) there is no other, overt way to obtain the necessary data (Hopman 2022: 562). The response article formulates many objections to this idea, including that this test ‘exacerbates structural inequalities between the Global North and Global South by reinforcing unequal power relations’ (Kaur et al. 2023, abstract). In this article, we will reply to the critique in the response article.

The response article makes many claims regarding epistemic injustice resulting from the work of the author of the original article (Marieke Hopman). Marieke therefore sought to discuss both articles with others who had expertise and direct experience with the relevant topics (authoritarianism, Global North/Global South relations, covert research method, epistemic injustice). As a result, this reply was written by the following authors:

- **Guleid Ahmed Jama** is a Somaliland national who lives and works in Somaliland. He was born, raised and educated in Somaliland, where he finished his bachelor’s degree and master’s degree. After completing the law degree from the University of Hargeisa, he started practising law and founded the Human Rights Centre Somaliland, a local human rights advocacy organization. He has been involved in several national and regional civil society organizations. He is currently an external PhD candidate at Maastricht University, Faculty of Law, where he researches children’s rights in Somaliland. He is based in Hargeisa, the capital of Somaliland.
- **Olga Zvonareva** is a science, technology and society scholar at Maastricht University. Her research focuses on public engagement in health and biomedical knowledge production. She is especially invested in studying instances of participation in situations when members of the public are discouraged from doing so. Olga has Russian nationality and conducts most of her research in post-Soviet settings or on topics connected to the post-Soviet space. Her research in and on Russia currently presents an extensive array of difficulties with regards to adequately protecting research participants and researchers.
- **Artūrs Hoļavins (Artur Holiavin)** is a Latvian citizen who lives in the Netherlands. He was born in Riga, then Latvian SSR, into a Russian family. He lived in authoritarian states, like Russia and Kazakhstan, but also worked in and around authoritarian settings, like some top-down ruled NGOs and governmental institutions. He has studied post-Soviet civil society and social policies for more than ten years, witnessing a gradually worsening situation for doing research outside of the authoritarian regime-approved frameworks. He was conducting his fieldwork and living with family in Moscow when the Russo-Ukrainian war started. ‘Covert’ elements in his research were inevitable even before that, but have become normatively and practically unavoidable and necessary elements since.
- **Anonymous** is a young Sahrawi adult who lives and works in the part of Western Sahara that is under Moroccan occupation (MCWS). As a tourist guide, he met the author of the original article in MCWS, and he was interviewed for the purpose of her research without his knowledge or permission. Anonymous and the researcher stayed in touch, and when the results of the study were published, she explained

her true identity, and the true purpose of her visit to MCWS. More recently, the researcher shared the original article and response article published in this journal with Anonymous, and invited him to share his views. She provided him with a list of questions as a guideline. The written contribution by Anonymous is limited exclusively to section 7 of this article.

- **Marieke Hopman** is a children's rights researcher at Maastricht University, and the author of the original article. She has Dutch nationality, and lives and works in the Netherlands. Her experience includes empirical research as part of several case studies: four in Europe, one in Asia, five in Africa, and two in the Middle-East. Epistemic agency of research participants, and children in particular, is a central element to her work (for example [Hopman 2021a](#); Maastricht Platform for Community-Engaged Research (<https://mpcer.maastrichtuniversity.nl/>)).

2. A first impression

We welcome the opportunity for academic debate, in particular one that sparks reflection on research ethics in general, and one's own empirical research in particular. The response article brought us together as a group of authors who otherwise might not have worked together, and triggered interesting discussions. It also gave us the unique opportunity to engage in a dialogue with someone who experienced the covert research method as an unknowing research subject, and discuss both the original article and response article with him. We believe his perspective is unique in academia, a valuable example of testimonial justice (see section 7).

In reply to the response article, to begin with, there are a few things that we totally agree with:

1. The original article does not provide an in-depth discussion of the ethical dimensions of covert research. As stated in the introduction, this was not the intention. The response article correctly points out that '[qualitative covert research method] has a long history across disciplines such as sociology, psychology, and investigative journalism, to name a few [list of publications]' ([Kaur et al. 2023](#): 9). However, there is a lack of literature available 'on *how to do* qualitative covert research in general, and in authoritarian zones in particular' ([Hopman 2022](#): 549, emphasis added). All these articles mentioned in the response article discuss the ethical issues of covert research. A discussion of the practical application of the method is either completely absent, or very limited. This is the gap the original article aimed to address.
2. When engaging in covert research (and, in our view, in any study that includes research participants), it is important to ask 'how scholars can ethically engage with the dignity, knowledge-production, agency, and voice of the participants' ([Kaur et al. 2023](#): 2). Epistemic injustice should be avoided.
3. Informed consent is not exclusively an information/data protection right. Instead, it includes the right to decide on whether or not to participate in a research project ([Kaur et al. 2023](#): 14, 22). The reference to the concept of 'information right' was ill chosen.
4. Reflexivity, and particularly reflecting on positionality, are important elements of good research practice, and should be integrated into every stage of the research process. Cross-cultural dialogue, reflexivity, and reciprocity are good ethical principles for academic empirical research with participants. However, we do have to keep in mind that if an article doesn't include a verbatim report of this reflexive process, that does not mean it never took place.
5. Authoritarian zones should be understood from a multifaceted perspective, rather than through a state-centred, geographically and spatially limited, perspective.

6. The original paper would have benefited from clear definitions of ‘authoritarian zone’ and ‘covert research method’. Instead of ‘authoritarian zone’, ‘authoritarian situation’ would have been a more appropriate concept (see section 5).

At the same time, we find that the response paper does not do justice to the arguments and materials presented in the original paper. Instead it constructs what can be called a ‘straw man’ by 1) misrepresenting claims in the original paper; 2) attributing assumptions to the original paper that were not there, and 3) lumping together notions such as authoritarian zones and Global South that certainly were not equated in the original paper. The response paper then attacks the resulting ‘straw man’ that bears little resemblance to the original paper.

When examining the content of the response paper in more detail, it is challenging to identify its main points. The paper is at times convoluted, and sometimes contradicts itself (for example, ‘This response article does not aim to adjudicate on whether or not the field research Hopman references in her article was ethical’ compared to ‘we describe the aspects of epistemic injustice in relation to her fieldwork in the Western Sahara as a Global North-situated researcher carrying out research in the Global South’ (Kaur et al. 2023: 2, 11)). As mentioned above, at times it seems that the arguments made in the response article are points of critique aimed at something else entirely than the content of the original article (examples will be presented throughout this reply). In general, we feel that the response creates unnecessary confusion for three main reasons. First, many concepts and arguments are unjustly equated or connected. Such as:

- Authoritarian zone—authoritarian state
- Authoritarian zone—Global South
- Epistemic justice—informed consent
- Human rights—Western norms

Second, the response article presents certain incorrect statements that do not represent the arguments made in the original article. Among those are:

- ‘[Hopman] argues [her research project] is ethical because it was approved by an ethics committee’ (Kaur et al. 2023: 5).
- ‘Hopman conceptualizes research as a form of data extraction that is divorced from participants’ subjectivities of being and knowing’ (Kaur et al. 2023: 4).
- ‘Hopman’s test effectively divides the world into two territorial spaces—non-authoritarian (liberal/democratic) and authoritarian (illiberal/undemocratic)’ (Kaur et al. 2023: 5).
- ‘Hopman “Orientalizes” (Said 1978) her research context through its depiction as a site that is unknown or unknowable from the perception of western researchers’ (Kaur et al. 2023: 6).
- ‘Hopman ... treats covert research as a binary (covert versus overt) venture’ (Kaur et al. 2023: 9).

In this reply we will demonstrate the invalidity of these statements.

The third source of confusion is the level of analysis: is the critique aimed at the ethical arguments made in the original article (‘covert qualitative research can be ethically permissible in authoritarian zones, under certain conditions’), or at Global North-situated researchers doing qualitative research in the Global South, or at covert qualitative research as a method, or at the particular case study that used covert qualitative research as a method in MCWS?

In this article, we discuss some of the main arguments of the response article. Where applicable, we will clearly differentiate between the different levels of analysis mentioned above.

3. Global North/Global South

The original article does not mention Global North/Global South. Nevertheless, the response article locates the original article in the Global North/Global South discourse. It seems that this is done for two reasons: first, the case study described in the original article is in the ‘Global South’ (which is defined by the response article as ‘the regions of Latin America, Asia, Africa, and Oceania’), and the researcher is a ‘Global North-situated researcher’ (Kaur et al. 2023: 2, 6). Second, the ethical test presented in the original article would ‘most likely’ be applied in the Global South, because the test applies to authoritarian zones, and because ‘states [in the Global South] ... have a greater chance of being seen as authoritarian’ (Kaur et al. 2023: 2, 6). Based on this reframing, many arguments follow, for example regarding how Global North-situated researchers should (not) conduct research in the Global South (Kaur et al. 2023: 3).

We see this categorization of the original article as being about Global North/Global South relations as problematic, and a misrepresentation of the original article. The original article is not about how to conduct covert research in the Global South. As the response article says, the original article ‘contributes to the academic debate around the ethicality of covert research methods, but in the context of authoritarian regimes’ (Kaur et al. 2023: 2). The response article continues to add criticism, built upon the Global North/Global South framing:

Hopman does not suggest that any unique ethical issues may arise from researchers—including Global North-situated researchers—doing research in the Global South. Hopman’s own case study is that of a Global North-situated researcher carrying out research in the Global South in a politically contested site. Her article does not reflect on the unequal power relationship between the researcher and the ‘researched’, and does not reflect upon the ‘authoritarian’ site she has chosen, placing it within its broader historical context (Kaur et al. 2023: 6).

Locating the original article in the Global North/Global South discourse does not match the content, intention and methodology of the original article. Authoritarianism is not particular to the South, nor was that ever implied in the original article. The existence of epistemic injustice in knowledge production is not disputed in this reply. Also, the power imbalance in global systems is not contested here. However, we argue that the original article has nothing to do with the perpetuation of epistemic injustice in Global North/Global South relations, nor does it assume ‘that academic knowledge production is value neutral’ (Kaur et al. 2023: 2). Any debate about the acceptability and ethicality of covert research should be about that, because that is what it is. It is not about the Global North/Global South debate. Below, we will give three arguments why this framing is inappropriate in relation to the original article. The relation between authoritarianism and Global North/Global South will be further discussed in section 5.

First, if our objective is to prevent epistemic injustice being imposed by academic researchers, instead of the researcher’s geographical location or whether their method is overt or covert, we should focus on their philosophical position. Taking a consent form or explaining the objective of the research does not automatically prevent epistemic injustice. Neither does being situated in the Global South. None of these factors compensates for when a researcher is intentionally engaged in distorting information. Early ‘explorers’ and ‘researchers’ of the colonial rule conducted activities in Africa for and on behalf of the colonial powers. Their goal was to study the local communities in order to maximize colonial dominance. Some of these explorers and researchers used to bypass consent, and others were explicit about their activities in overt research. Yet, the consent of the participants did not change the outcome because the outlook of these researchers was based on assumptions

that treated the participants as inferior. At the same time, some of its strongest critics were academics from the Global North.

Somaliland is among the African countries extensively affected by colonial ‘researchers’ and ‘explorers’. One of them was Richard F. Burton. He wrote a book in the 19th century, *First Footsteps in East Africa* (Burton 1987 [1894]). This book details a journey that started from Eden, Yemen, where he and his team landed at the coastal city of Saylac, Somaliland, in 1854. They undertook a land journey to enter and spy on, in the name of exploration, the city of Harar. Throughout his journey, he documented in detail his encounters with the people and the land, using derogatory and racist terms (for example ‘savages’, ‘inferior’, and ‘beggars’ (1987: 21, 78)). The book served as an important tool of information for ‘researchers’ and colonial administrators who came to Somaliland three decades later. These activities—which we can hardly call research—were covert, and strongly motivated by racism and a strong belief of superiority of the ‘explorer’, who looked down on the people he visited, on their land, and the Somalis who were with him on the voyage. Another similar example is I. M. Lewis who was a seminal author on Somali history and anthropology in the mid-19th and early 20th century. Contrary to Burton, Lewis was explicit about his research with his participants. He wrote one of his most prominent studies, the *Pastoral Democracy* (Lewis 1999), during colonial rule (Kaptejns 2010, Samatar 1992). The study contained many incorrect assumptions about Somali society, such as that Somali people could easily be divided and understood when categorized according to clan/ethnic lines. Interestingly, the problematic content of Lewis’s work was analysed and brought to the fore as such, by another researcher situated in the Global North (the Netherlands): Lidwien Kaptejns. The work of Kaptejns showed that Lewis’s scholarship developed ‘a way of thinking about Somali society’ that emphasized clan and clannism, and how ‘a very narrow construction of clanship’ had ‘gained such epistemological prominence’ (Kaptejns 2010: 3). Burton and Lewis are prime examples of epistemic injustice and the colonial influence of knowledge production that continues to persist today and still dominates a certain discourse. By contrast, the empirical work of Kaptejns is well respected by Somali scholars (Samatar 2011: 44).

These examples serve to illustrate that epistemic injustice should be judged in relation to the attitude of the researcher and the outcome of the study, rather than their geographical location or method. The response article does the opposite: instead of looking at whether the information presented in the original article (which hardly serves as suitable material for this type of judgment anyway, since it did not include any information on how data was analysed), the response article attacks its method for being covert, and the author for being situated in the Global North. We see that as an oversimplification.

Second, the fact that the North has a ‘hegemonic position of power’ (Kaur et al. 2023: 3) and how this relates to a research project, is something that has to be measured case by case. The place of work and the colour of the researcher does not determine if the researcher lacks critical reflexivity. Researchers in the Global North and those in the Global South can (equally) commit epistemic injustice. A researcher situated and educated in the Global South can employ questionable research methodology that perpetuates epistemic injustice, and a Global North situated researcher can be critical towards the epistemic injustice (as shown above). There are critical thinkers situated in the North who are pioneers in the field. A research project cannot be labelled epistemically unjust simply because it concerns a Global North situated researcher who conducts empirical research in the Global South. Therefore, we cannot agree with the response article’s attack on the original article on the basis that the author is based in the Global North and has conducted research in the Global South.

Third, if we do use this framing, it is not straightforward to define who is a Global North-situated researcher. According to the response article, ‘when Global North researchers conduct research in the Global South, they can unfairly privilege “dominant” (the researcher)

epistemic agendas over those of the “subaltern” (the researched), thus reproducing inequality’ (Kaur et al. 2023: 3). The question is, does this apply always and to every researcher from the Global North? How do we define the Global North-situated researchers? Do we include researchers who are citizens from Global South countries but are educated, based at, and funded by Global North institutions? How do you approach the Global South based researcher who employs a problematic research methodology contributing to epistemic injustice?

Kapteijs, who is very critical of Lewis—in the above example—is a Global North-situated scholar. Her scholarship and critique of Lewis demonstrate that a strict delineation of North and South based on the place of work of the researcher does not explain epistemic injustice. The authors cited in the response article who are critical of the epistemic injustice include researchers based in the Global North. This illustrates that the issue is not about the researcher’s physical address but about their philosophical outlook.

4. Human rights

The original article discussed the conditions under which it could be ethical to do covert research in authoritarian zones. One of the criteria is that ‘the research aims to contribute to the protection of human rights’ (Hopman 2022: 559). How do we know if the research serves human rights protection? The original article underscores the ‘lack of an absolutely certain answer to the question of right and wrong’, then suggests ‘turning to the standards that at least most political representatives of the peoples of the world agree on’, namely: international human rights law (ibid.).

In regard to the mention of international human rights law, the response article argues that this ‘ethical test requires researchers to translate participants’ testimonies and situated knowledge into a doctrinal human rights framework, which comes with certain onto-epistemological assumptions which may not be shared by participants’ (Kaur et al. 2023, abstract). This argument has two problematic aspects. First, it centres on data analysis and translation of participants’ testimonies, which was not discussed in the original article. International human rights law was included in the original article only as a criterion, one among several, to determine whether an intended research project could possibly use a covert research method. It had nothing to do with ‘translating participants’ testimonies and situated knowledge into a doctrinal human rights framework’. Second, the response article assumes that international human rights law includes only Global North (Western) norms, which are alien to the populations in the Global South. The response even states so explicitly:

there is a formal legal character and presupposed ‘apolitical’ framing of Hopman’s vision of human rights, which obscures a political and normative prioritization of Western ideologies over non-hegemonic conceptualizations of rights (Kaur et al. 2023: 15).

This framing of international human rights law as Western ideology overlooks that human rights treaties are primarily consent based, and many political representations of Global South peoples have consented to the rights and obligations formulated in those treaties. It also completely overlooks the contributions of the Global South on a wide range of international human rights law. For example, the Global South states were the driving force behind the adoption of the 1966 International Covenant on Economic, Social and Cultural Rights. The 1989 UN Convention on the Rights of the Child (CRC), which is ratified by all UN Member States except the US, has been ratified by all Global South UN Member States. This means these states intentionally consented to abide by the legal obligation emanating from the CRC. As a consequence, the CRC is applicable to Somalia (a Global South state) and is not applicable to the US (a Global North state). The 1969 American Convention on

Human Rights and the 1986 African Charter on Human and Peoples' Rights both cite the 1948 Universal Declaration of Human Rights.

There are numerous examples of the express consent of states to abide by international human rights law. We do not consider it appropriate to imply that the African, Asian, South American, and Oceanian leaders and peoples who subscribe to the Charter and the Convention lacked agency, or were somehow forced to adopt it. This does not mean that the debate about the universality and cultural relativity of human rights is rested. In fact, it is a debate worth continuing because it has considerable contributions to make to our understanding of the value dimension of human rights. But neither the universalists nor cultural relativists discard the existence of international human rights law. Research showed that South America, Sub Saharan Africa (Global South states), and Eastern Europe have the highest score of inclusion of UDHR rights in their constitutions and that 'North America, Western Europe, and the British Commonwealth have relatively lower scores' (Beck et al. 2019: 92).

Describing international human rights law as a Western value also has practical risks. When the government of Somaliland closed down a newspaper critical to the government, the local journalists association and local human rights activists appealed to the right to freedom of expression, to demand the lifting of the ban. The newspaper writes in Somali language for a Somaliland audience, and is funded by the paper's readers. It has no ties to the Global North. If we assume that freedom of expression is a Western value, the doctrinal basis of the advocacy for the newspaper suddenly becomes alien. To argue that international human rights law is Western ideology, is such a broad claim that silences local voices and assumes lack of agency, even though activists and journalists are deliberately and consciously engaged in advocacy at the national level to improve the human rights situation in their (Global South) country. Moreover, dictators who silence and suppress citizens justify their actions by arguing that human rights, including the right to assembly and freedom of expression, are Western values. In this manner, they justify repressive measures that are not approved by the population.

In this reply, we do not discuss the source, the history, or the value dimension of human rights (which would merit another article at least). In line with the original article, we only focus on the globally agreed international human rights law, as codified in treaties voluntarily ratified by states. Human rights treaties include those open for all states irrespective of geography (for example the UN Convention on the Rights of the Child) and regional human rights instruments such as the American Convention on Human Rights, the African Charter on Human and Peoples' Rights and the European Convention on Human Rights. We do not view these doctrinal human rights laws as Western or Global North owned legal norms.

5. Covert research in authoritarian situations

As indicated in section 2, we agree with the suggestion in the response article that the original article would have benefitted from including definitions of both 'authoritarian zone' and 'covert research'. With these lacking, the response article makes certain assumptions about what the original article meant when using these concepts, which we would like to correct below. After establishing what was meant by these concepts (and adding one improvement), we will further discuss whether or not the classification of a certain situation as authoritarian can be an essential factor in determining whether employing a covert research method may be ethically acceptable.

Let us start with the concept of 'authoritarian zone'. In the original article, 'authoritarian zones' are described as 'areas under the control of authoritarian regimes' (Hopman 2022: 548). What 'authoritarian' entails exactly is only hinted at: there may be limited access to data, information control, censorship, and security risk for both researchers and

participants (*ibid.*: 548–49). Certain authoritarian regimes ‘achieve some level of impunity since most of their actions, including human rights violations, are not well documented and studied’ (*ibid.*: 549). MCWS is identified as an example of an authoritarian zone, one that is ‘overseen by a semi-authoritarian government’ (*ibid.*: 549). These zones ‘inherently carry the risk of human rights violations going unnoticed, due to the limitation of personal freedoms, including freedom of expression, imposed by authoritarian regimes’ (*ibid.*: 562).

We agree with the response article that authoritarian zones should be understood from a multifaceted perspective, rather than through a state-centred, geographically and spatially limited, perspective. This is why the original article refers to ‘authoritarian zones’ rather than ‘authoritarian states’, and the MCWS example is a non-state example. The framing in the response article, that the original article views ‘the geography of areas like Western Sahara as authoritarian states in need of research’ (Kaur et al. 2023: 16), is a mistake. The response article’s lengthy arguments to counter traditional political science ‘state-centric’ approaches to authoritarianism are, actually, not against the position taken in the original article. In fact, we think that we should go beyond the criticism of the response article and replace the concept of ‘authoritarian zone’ with ‘authoritarian situation’. The notion of situation is more ‘localising and more open-ended than the notion of setting’ or of zone (Birkbak and Papazu 2022: 20–21), and allows us to account for a dynamic character of any political arrangement.

Nowadays, one can indeed rarely encounter a piece of scholarship claiming that while democracy exists uniformly within the boundaries of one state, several kilometres further it ceases to exist entirely within the boundaries of another state. We know that pockets of exclusion exist within well-established democracies and participatory openings may occur in otherwise rather oppressive circumstances (Chilvers and Kearnes 2020; Laurent 2011; Czada 2015; Jasanoff 2005). Furthermore, democracy and authoritarianism are always in-the-making, being practiced, expressed, and reshuffled continuously. This means that both can change quite quickly, for example transforming a situation that looked quite democratic into something else. This also means that some oppressive and inclusive practices can become entrenched, solidify, and become much more difficult to shift in their stability. When these are practices of oppression that become solidified, we may be speaking of authoritarian situations which, again, are not necessarily ‘territorial’ as such. In our definition of authoritarian situations, we draw on two bodies of scholarship. First is the scholarship on a practice-oriented approach to understanding authoritarianism, which stresses the need to move beyond analytically locating authoritarianism at the level of the state. Scholars working in this vein propose, instead, to focus on practices as patterns of actions, embedded in organized contexts (Glasius 2018). This focus allows us to zoom into actors and their behaviours instead of state structures and elections, while taking account of contexts where certain understandings and ways of doing things are prevalent and legitimized. Second is the political anthropology scholarship on authoritarianism. While exact definitions of authoritarianism given by political anthropologists diverge, they mostly share three elements: 1) an uneven distribution of power, 2) coercion used to maintain this distribution, and to 3) keep publics (selectively) disengaged and demobilized (Davey and Koch 2021; Stroup and Goode 2023). We, thus, view authoritarian situations as constituted by practices of coercion used to maintain an uneven distribution of power and tight control over certain actors, to keep them disengaged and demobilized.

On the concept of ‘covert research’, the response article argues that the original article wrongly ‘treats covert research as a binary (covert versus overt) venture’, while in fact it is ‘inclusive of wide-ranging sets of practices within which the object and scope of a research project are embedded ... Not all covert research is done by concealing the object of the research and the role of researcher from participants, nor bypassing consent entirely’ (Kaur et al. 2023: 9). By contrast, it is argued, ‘Hopman’s conception of covert research anticipates active deceit: “actively and purposefully lying to ... research participants when asked

why you are there” (Hopman 2022: 559)’ (Kaur et al. 2023: 8–9). In fact, the original article states:

[S]ome form of covertness is usually present in qualitative research. During qualitative interviews, researchers are rarely completely transparent ... Of course, much research in authoritarian zones is already ‘covert’ in the sense that often official permission for research is not obtained with the relevant authorities ... However, *in this [MCWS] case* ‘covert’ refers to pretending to visit the country as anything other than a researcher, not only in relation to authorities, but in relation to everyone encountered in the field. It means actively and purposefully lying to both authorities and (potential) research subjects when asked why you are there (Hopman 2022: 559, emphasis added).

In defining covert research, we propose to follow Spicker: ‘Covert research is research which is not disclosed to the subject – where the researcher does not reveal that research is taking place’ (Spicker 2011: 119). This definition, like the original article, goes beyond a binary understanding of covert research in that all types of research practices are considered covert if the research is not disclosed to the subject, while the overall research project can include different levels of covert/overtness. As Spicker writes,

it is covert research, for example, if a researcher simply stands and watches what people are doing, like checking whether motorists are using mobile phones ... Walker et al. 2006. It is covert research when a researcher attends a public event, like a trial, a football match or a political meeting, and writes about it. It is covert research if a researcher accumulates information about subjects who do not know it ... Deception, by contrast, occurs where the nature of a researcher’s action is misrepresented to the research subject. This can be done at the same time as covert work, but deception is not necessarily, or even usually, done in the form of covert research (ibid.).

The question in the original article was twofold: first, whether certain types of covert qualitative research in authoritarian situations could be ethically permissible in general, because of the nature of authoritarian situations (that is, unchecked coercive power potentially exercised against individuals deemed a threat to the authoritarian powerholders). Second, whether a deceitful type of covert research as employed in the MCWS case study could be ethically permissible in certain authoritarian situations. The distinction between these two, related, questions should have been made more explicit in the original article.

The response article is ambivalent regarding whether covert research can be or should be employed in authoritarian situations. On the one hand, it states:

We recognize that authoritarian contexts can require specific measures for the protection and reduction of harm to the researcher and participants. These measures may under specific circumstances require a certain degree of ‘covertness’ (Kaur et al. 2023: 2 (footnote)).

At the same time, it states:

We reject Hopman’s assertion that the classification of a particular geography as an authoritarian zone can or should be an essential factor in determining the level of ethical safeguards a research project should abide by and wholly reject her claim that authoritarianism makes her particular brand of radical covert research necessary (Kaur et al. 2023: 15).

Leaving behind a dichotomous and state-centric understanding of authoritarianism does not mean that we as researchers can take lightly the risks associated with research in authoritarian situations. Oppressive practices that constitute such situations often make

conduct of and participation in research dangerous for researchers and research participants. In many authoritarian situations, powerholding actors pose a quite direct threat to both researchers and research participants, with possible consequences including public shaming, imprisonment and physical harm. Overt research practices through ideal-type written consent forms with names and signatures, even if protected by encrypted data storage facilities (which are never completely safe), can become hard 'evidence' against research participants in the eyes of violent powerholders. Hence, completely overt research, in particular the one involving 'official permission', might be dangerous. In the fieldwork in Russia by two authors of this article, openly going to gatekeepers with a description of the research project would have alerted the authorities and pro-regime activists to activities they are likely to interpret as either espionage or as politically hostile action funded by the 'unfriendly collective West'. As a result, years of effort to build trust with the state by organizations participating in the research could have been compromised. In the worst case scenario, the researchers and some research participants might even have fallen under scrutiny of security services, been arrested, or targeted with physical attacks by pro-regime thugs.

To be clear, not all situations with authoritarian characteristics are equally and similarly dangerous for researchers and participants. An illustrative example here could be the operation of the multinational pharmaceutical industry globally. This operation is characterized, among others, by radical power imbalances, meagre transparency, and quite tangible possibilities of exploitation of people involved in testing of new medicines. Not all research into the operation of the multinational pharmaceutical industry, though, is likely to lead to detention, imprisonment or physical harm to researchers or research participants with the same certainty as research that is being conducted, say, in present-day Russia on a topic that concerns or even loosely relates to the Russian attack on Ukraine. Research covertness may well serve as one of the elements of protection in the latter situation. This distinction between different authoritarian situations and their consequent need for covert research (or lack thereof), was captured by the third criterion of the ethical test for covert research in authoritarian situations, as formulated in the original article: covert research in authoritarian situations is permissible only if there is no other, overt way to obtain the necessary data (Hopman 2022: 561).

In relation to the MCWS case study, we believe that the original article presents the case, in which the author correctly identified risks for her research participants, herself, and others entangled in the research from the authoritarian situation's powerholding actors. She made a tough but righteous decision to do research covertly. Making such an assessment and decision were both ethical and—in terms of protecting research participants—administratively appropriate. Therefore, we also believe that radical or ethically unambiguous statements like 'wholly reject her claim that authoritarianism makes her particular brand of radical covert research necessary' (Kaur et al. 2023: 15), are simply detached from the realities of doing research in authoritarian situations. Real research practice is never easy, or simple; it never has definitive methodological and ethical answers ready. If overt research is completely forbidden by authorities and other gatekeepers; if saying 'I am a researcher and I study ...' will get you arrested; if being overt will risk your research participants getting beaten, imprisoned, tortured, or killed; if your research can be interpreted as a hostile action by the enemy state, leading to adoption of new restrictive legislation or escalation of an armed conflict; covert research methods might well be appropriate.

What the original article did, was to present the details of a specific methodology as it was applied in a specific case and to suggest that this methodology may be useful to others. No totalizing claims were or actually can be made with regards to *always* using this methodology in *all* authoritarian situations for reasons delineated above. We suggest treating a covert research methodology as any other methodology, that is as something that can be used, misused and abused. We, therefore, stress that the decision to use covertness should never be an automatic decision determined by any single characteristic of a research situation, be it authoritarianism or anything else.

6. Epistemic injustice

As stated in section 2, we agree with the response article that epistemic injustice should be avoided as much as possible, and that even though ‘research is always an extractive process [to a certain extent], harms caused by it can and should be mitigated’ (Kaur et al. 2023: 15). However, the response article also presents three categories of arguments why epistemic injustice has been/is not sufficiently avoided: first, in relation to the MCWS case study, second, in relation to covert research, and third, during data analysis. We will discuss all three categories below.

6.1 Epistemic injustice in the MCWS case study

According to the response article, in the MCWS case study, two forms of epistemic injustice occurred: testimonial injustice and hermeneutical injustice. The main arguments are:

1. Orientalization: the original article claims that ‘there is currently hardly any (reliable) information available on the children’s rights situation in [MCWS]’. Thereby, the research context is orientalized ‘through its depiction as a site that is unknown or unknowable from the perception of western researchers’.
2. Data extraction: knowledge is produced by researchers outside of its context, experts speak on behalf of the research subjects, and then share this knowledge through inaccessible academic publications.
3. Hermeneutical injustice: the researcher forces their own, dominant framework of understanding onto those of research participants, and misrepresents their experience in the research output.

While the risks of orientalization, data extraction and hermeneutical injustice are all inherent in doing qualitative research, we do not feel that it applies particularly to the MCWS case study. As described in the original article, the decision to apply covert research was based in part on discussions with indigenous (NGO) actors living abroad (Hopman 2022: 551, 560). These actors all agreed on the lack of information currently available *to all researchers*, on the children’s rights situation in MCWS. This was confirmed—although not described in detail in the original article—by our online search of different sources in English, Spanish, French and Arabic (Hopman et al. 2021b: 587). The original article further explains that:

After our return [from MCWS], we engaged in online interviews with human rights defenders from both sides [Sahrawi and Moroccan] via online contact methods. We also published a draft report of our findings and shared this widely, both online and offline (via post), asking for feedback from different actors (2022: 554).

To be more precise: hard copies of the draft report, including a letter explaining the research and requesting feedback, were shared with 86 schools, 10 government institutes, and eight human rights organizations active in MCWS by post; and 34 schools, 35 human rights organizations/activists, 11 government institutes, 24 media outlets, and four researchers active in MCWS by email. The documents were also shared via social media (Twitter, Facebook) and on the research website (www.childrensrightsresearch.com). The request for feedback included a phone number available for sending anonymous feedback messages via Telegram.

Although data analysis and research output were not discussed in the original article, it may be good to mention that output of this research project consisted exclusively of open-access publications:

- Two academic journal articles (Hopman 2021b; Hopman 2022).

- A popular scientific report, in Arabic and English, published first as a draft report for feedback, then as a final version (Hopman et al. 2021a; 2021b).
- Several blogs and vlogs (Children's Rights Research, no date).
- A shadow UPR report to the UN Human Rights Committee (Children's Rights Research et al. 2022).

6.2 Epistemic injustice in covert research methods

A stronger case might be made when it is argued that a research project that relies exclusively on covert research methodology (and does not add any other forms of participation in knowledge production for local actors, as we did in the MCWS case study) necessarily leads to epistemic injustice.

The original article in this respect only considered the pre-field research phase and the field research phase. In relation to the former, it argued that an analysis of potential risks and benefits of the study, including the decision whether or not to use a covert research method, would be done ideally with 'not only academics, but also people who are able to speak for the potential research subjects, such as NGOs who have worked with the target group and/or former members of the target group (for example, former political activists now living abroad)' (Hopman 2022: 560). This would mitigate the concern regarding epistemic injustice in this phase.

When applying covert research methods during the field research phase, it seems inevitable that some form of epistemic injustice occurs, in the sense that the research subjects have no knowledge of, and therefore no control over, the fact that what they share is going to be used as research data (provided we define a 'covert research method' as a method whereby the research subject is not aware that they are in some form included in a research project). In part, this is a serious ethical issue for any covert research method, and therefore a reason not to use the method lightly. However, the original article also provides two reasons why the graveness of this epistemic injustice should not be overstated: first, in authoritarian zones where freedom of expression is limited by authorities, 'people know that speaking [their] mind can have negative consequences, and self-censorship has become second nature' (Hopman 2022: 561). As the response article points out:

Indeed, it could be argued, from Hopman's brief descriptions of conversations (Hopman 2022: 8–9), that the informants engaged in hermeneutical resistance (see Medina 2012). For instance, she illustrates that there were moments where participants engaged in awkward silence, changing the topic, or ... 'pretending not to hear or not to understand questions they did not want to answer' (Hopman 2022: 8). Arguably, such modes of strategic silence could be active demonstrations of a lack of consent ... (Kaur et al. 2023: 14).

We agree that this demonstrates that research subjects can and do still display epistemic agency, and are able to 'speak' and engage in knowledge production (another example would be when the researcher checks whether s/he has understood the research subject well, and is corrected (see Hopman 2022: 555)), even when they do not know that they are 'participating' in a research project.

Second, one could argue that people living in authoritarian zones where research on human rights topics is not allowed, are thereby subjected to a form of epistemic injustice. This argument is made in the original article, although the concept of 'epistemic justice' is not used (Hopman 2022: 549, 551, 562). The response article fails to grasp why covert research is in some cases ethically required to avoid an authoritarian situation from 'dropping of the research map' (Hopman 2022: 562). In these situations, the only accessible sources of information become those that are allowed by the regime: human rights documentation that tells the story favoured by the authoritarian regime. In the case of MCWS,

in the words of the response article, the ‘colonized populations’ are ‘silenced’ by the ‘colonial hierarchy of power’. Therefore, covert research, in situations such as in MCWS, does *not* produce epistemic injustice. In fact, the method can be pivotal for the empowerment of the people and securing at least some level of *epistemic justice*. And that is exactly why covert research may sometimes be necessary.

6.3 Epistemic injustice in data analysis

Many arguments in the response article concern epistemic injustice that occurs during data analysis. For example, ‘hermeneutical injustice bypasses meaningful recognition of research participants in the research process by misrepresenting their experiences in the research output’ (Kaur et al. 2023: 12), and ‘Hopman’s article never clarifies why the human rights paradigm is deemed as exceptional over alternate normative orders and she does not discuss the ethical implications of a priori choosing of a human rights framework as the basis for her data analysis’ (Kaur et al. 2023: 13).

This unfortunately goes completely beyond the scope of the original article, since neither data analysis in general, nor the research findings in the MCWS case study,¹ were discussed.

7 Testimonial justice: contribution by Anonymous

As described above, the main criticism in the response article is that epistemic injustice is done to people who are the subjects of covert research in general (especially those in the Global South), and in particular in the MCWS case study. We thought it would be a good opportunity to invite someone who experienced covert research in the MCWS case study, to allow them to speak on their own behalf. While this anonymous author cannot represent all people in MCWS, let alone all people in authoritarian situations or the Global South, at least he can give us a unique view from someone who has personally experienced covert research. Anonymous is a young Sahrawi adult who lives and works in MCWS. He read the original article and the response article, and per his request we provided questions to guide his reply. We only edited his input for clarity, with his permission.

Marieke Hopman (hereafter MH): Thank you for agreeing to write a reply. To be clear: you can share your honest opinion, and nothing will be adjusted without your consent. You can share everything that you thought was wrong with the research project. Feel free to be very critical.

Anonymous (hereafter A): OK.

MH: OK, let’s start. When we spoke when I was in [city in MCWS] and you didn’t know I was a researcher, how was your experience?

A: In general, it was a good encounter. We had some discussion, we talked about philosophy, religion, laws in Morocco.

MH: Did you feel that I didn’t listen to you, that I was a typical person from the Global North who had already decided what it is like to live in Western Sahara (hereafter: WS)?

A: No. Because first of all it was my job as a tour guide to show you around [city] and explain the culture, the differences, what does make that place unique, a bit of the region, history. And when afterwards you told me that you were making a paper about children’s rights in WS, I was personally motivated to answer all of your questions, because I was

¹ Except for a brief reference to the results of the case study, to illustrate the type of qualitative data that we were and were not able to obtain by using this method (Hopman 2022: 557–58).

there, first I was a child in WS and I know the feeling of being one in that region, second of all I appreciate that you've said WS not Morocco because it's a common misconception that a lot of foreigners have.

MH: When you learned later that I was actually a researcher, how did you feel?

A: I felt excited at the beginning, it wasn't something that you would expect. I was actually happy that somewhere else in this world there are people who still care.

MH: When you read the result of the study, did you feel that the findings accurately described the lived experience by people living in the WS?

A: Sadly I totally agree, and the limitations on freedom of expression become worse once you become an adult as we all know the reputation of the Moroccan authoritarian regime, even for Moroccans.

MH: What do you think of the article I published (original paper)?

A: Well I totally agree there is no other effective way to obtain data in this part of the world. It's just playing by the rules here.

MH: What do you think of the response paper?

A: If you walk around [city in MCWS] and you tell everyone on the first meeting that you are a researcher or an activist, you will be deported in two, three days. You know, there are incidents when some human rights activists from Spain and some European countries got deported, back from the airport. They didn't even land their feet on [city in MCWS], their plane just took back off. So actually it's not practical to play by some rules that your opponent doesn't play with. I mean, you will always lose. Even when the Moroccan regime tried to present this shiny image on the human rights subject, when they let some human rights activist, some people from the UN, visit WS, they keep them surrounded with police. You can't even talk to them. So how can you communicate? It's not practical at all. They just take a turn in the city and write some report. The report, I don't know, how can they tell what's going on, really?

Plus another thing, the way I see it, one research could not give us the whole truth. Could not give us the whole angles of the situation, the whole aspects. I mean, it does take so many research over the years, so much hard work, so many projects. In general, the current situation, on any human rights situation. I'm talking about human rights. And researches about human sciences in general.

Plus in the response paper, it talks about the difference between the culture and the ethics, the morals, between the South and the North. I think it's true. It's better to bring someone who is specialized in the zone that you are going to research. If you're going to research WS, it's better to find maybe a native Sahrawi. In this complex situation, a native Sahrawi who is on the Sahrawi side and another one on the Moroccan side. Or at least someone who is, no matter which nationality he is, specialised in that matter.

MH: Should a researcher who does research on WS, be from WS?

A: There are some people who are specialised, politically talk about it, they have experienced it. Like some human rights activists. I don't mean that you [MH] shouldn't do

the research. I just mean that it would be better if you have someone to look through it. Someone familiar with the context, the Eastern context, Arabic cultures. It's a different part of the world right here. So, it seems rational. Like a specialist in Arabic affairs, something like that. Because believe me when I say it's a huge difference between this part of the world and the West.

MH: Do you think I shouldn't have done the study?

A: Your research is a good thing, it's a good research also. Even if someone doesn't agree to this, they will need to make another research and prove it wrong. So more people will know about this region and about the struggle. It's like a snowballing effect.

MH: So any research on WS is good?

A: Actually yes, any research on WS is good. But actually, I read your whole research, it was good actually. There's a tendency to misunderstand these informations, for people who don't know. Almost all of the audience doesn't know the laws and the logic in this region, like these crazy laws we have out here. Like, you shouldn't mock the King, you shouldn't mock the God. The freedom of expression. These are laws here. I think people in the West don't think that this is even possible. But things like that are totally illegal here.

MH: Anything else on the response paper?

A: Part three: testimonial injustice. I think the response is trying to say that you are using your speakers as evidence, so you are trying to prove some points or something, like you were narrow in the discussion. And basically, guiding somewhere. Actually that was not the case in my case. We had an open discussion. We talked about so many things like religion, politics, maybe a little of ethics, Western Sahara in general, children's rights. A lot of different topics actually.

And this quote from you:

There were several reasons not to alert anyone to our upcoming visit, the most important being that in this conflict both sides are eager to control the narrative. Therefore, informing either side of our visit beforehand carried the risk of one or several parties trying to influence our field experience, for example, by alerting the secret police. By not having chosen the easier path, we can now be relatively sure that our independently obtained data remained as objective as possible [Hopman 2022: 554].

Well, I totally agree. Not totally, but I agree on this matter. It would influence the research, the part that would influence the research is Morocco, because currently the WS is occupied by Morocco. You can't even raise a Sahrawi Democratic Republic flag there, or you will face jail time. So not both sides will manipulate the outcome of the research. There is only one side. The occupier.

My general idea is, it's unpractical to play by ethical and morals, when a regime doesn't even play by these rules. I would even think that this is dangerous.

MH: Do you agree with the respondents that in this case, I as a researcher 'extracted data that was divorced from participants' subjectivities of being and knowing, thereby devaluating participants' agency and capacity as rightful knowers?'

A: No I don't agree with that, it does sound a bit fanatic, but on the other hand I think that it would be nice to put the conversation that you had with the participants, not the whole thing of course, but just a bit longer. I think it would be nice to add a full testimony on the research project. Like a full audio testimony. It could be edited for safety reasons, but it would be nice to be heard.

MH: Do you think that international human rights, like in the children's rights convention (for example right to freedom of expression), are rights that Western people made up, and that are not really rights thought important/appreciated by local communities in Western Sahara? That maybe they (you) have other ideas of rights?

A: Of course not, human rights are universal and everybody has the same rights. They guarantee a person rights and dignity and I think that children's rights are more vital because children are the future.

MH: What do you think about the claim that 'there is currently hardly any (reliable) information available on the children's rights situation in the [Western Sahara under Moroccan control]?' (the respondents argue that this is orientaling the research context as a site that is unknown or unknowable from the perception of western researchers).

A: That's not the first time that I hear this. Morocco has blacked-out information about WS. They don't let human rights activists and researchers enter the occupied region and if they let them, they stay under the police eyes and don't let them interact with locals.

MH: Do you feel that by applying this method, the epistemic agency of people in the Western Sahara was completely violated?

A: No.

MH: In any of the following: my original paper, our research report, our conversations (between you and me), the response paper by the four authors—did you ever feel 'otherized', and/or did you feel that people of the Western Sahara were 'otherized'?

A: No.

MH: Looking back, all things considered, do you think that we should have done the research differently, or was it a good decision to use this covert research method?

A: Your method let you have a real contact with real and random participants, so I think it was a good method to obtain fresh information.

MH: Do you think other researchers in similar circumstances, whether from the Global North or the Global South, can or should use this same method?

A: Yes.

8. Lessons learned

In our view, three lessons can be discerned from the current exchange. The first concerns improvements to the original article, the second concerns issues in the response article, and third is a lesson on how to engage in constructive dialogue during rebuttals. We will elaborate on these three points below.

8.1 Improvements to the original article

As stated in section 2, the response article offers a couple of interesting ideas that are potentially valuable—although not new—for researchers engaged in empirical research. Among these are the importance of ethically engaging with dignity, knowledge-production, agency and voice of the participants, and the application of reflexivity, cross-cultural dialogue and reciprocity.

One potentially fruitful idea that was sparked by the response article, although not suggested by it, is that it may be beneficial to add a fourth criterion to the ethical test presented in the original article. Another was that instead of ‘authoritarian zone’, the more appropriate concept would be ‘authoritarian situation’. With these additions, we could argue that covert qualitative research in authoritarian situations is ethically acceptable, and sometimes even necessary, under four conditions:

- 1) the research aims to contribute to the protection of human rights;
- 2) research subjects remain anonymous;
- 3) there is no other, overt way to obtain the necessary data,
- 4) the research includes overt and participatory methodological approaches in different phases of the research project as much as possible (for example by sharing draft presentations of findings and offering the option for anonymous (online) feedback—as was done in the MCWS case study, or by adding direct audio testimonies, as suggested by the anonymous author of this reply).

8.2 Main issues in the response article

Aside from these improvements to the original article, for the most part, we have shown that much presented in the response article is not really a response to the original article. Instead, the response article constructed what can be called a ‘straw man’ by misrepresenting and deforming ideas presented in the original article. This is harmful for at least two reasons. First, it harms the principles of scientific integrity. It is good practice to disagree with an academic argument and to respond critically. But it is not good practice to misrepresent the arguments in the original article for the purpose of furthering one’s own agenda. For example it is argued in the response article that

This [MCWS case study] was ethical, as Hopman argues, because it was approved beforehand by our universities’ ethical committee, which applies Western ethical standards ... In fact, even while complying with the ethical standards, we were able to conduct a study that was sufficiently flexible to arrive at the best ethical approach, based on our ‘good judgment’ (Hopman 2022: 561). (Kaur et al. 2023: 7).

The same quote in its proper context, however, conveys a totally different message:

[T]he fact that our study, including the covert research methodology, was approved beforehand by our universities’ ethical committee, which applies Western ethical standards, suggests that even these standardized rules do not necessarily have to ‘smother what is often so valuable about these [research] encounters: the sense of being there and interacting ... in ways that must be relatively unpredictable in order to have any value’ (Thrift 2003: 119). In fact, even while complying with the ethical standards, we were able to conduct a study that was sufficiently flexible to arrive at the best ethical approach, based on our ‘good judgment’ (Hopman 2022: 561).

The misguided argument in the response article (‘Hopman argues that her research project was ethical because it was approved by an ethics committee’) is repeated several times in

the response article (Kaur et al. 2023: 5, 7, 21). This is only one example of several such instances of misrepresentation, as shown throughout this reply. While the response article seems to have the intention to stand up against epistemic injustice, in particular when committed against people in the Global South—in itself an admirable intention—the original article as target for this critique is completely misplaced.

Second, and even worse, is the fact that in writing this critique, the response article seems to make the same mistake it alleges the original article made: namely, its authors speak on behalf of the marginalized people living in authoritarian situations, and in particular, the people living in MCWS. They do not create space for these people to speak for themselves as rightful knowers. As far as we can tell, no one from MCWS was asked for their views—let alone invited as a co-author, nor were any other potential speakers who are situated in authoritarian situations.

In fact, when listening to people from MCWS and other speakers (recently) situated in authoritarian situations (including three authors of this article), a completely different picture emerges. Not one person from MCWS who responded to the draft findings of the MCWS case study, nor the participants to the online interviews, argued against the covert method used. Not one person (academic or other) situated in an authoritarian situation responded negatively to the original article. The original article claimed that a covert research method, while it should be avoided where possible, can and should sometimes be used in authoritarian situations, if the alternative is that human rights violations in these situations are not researched at all. This view is also supported by our author from MCWS (section 7): instead of being upset at being interviewed without his permission and knowledge, Anonymous felt ‘actually happy that somewhere else in this world there are people who still care’.

8.3 A personal note—by Marieke Hopman

A response to a journal article may serve different purposes, among which are 1) academic debate in order to come closer to truthful, just and insightful knowledge and understanding through dialectic process; 2) a personal attack on the researcher. While I welcome and enthusiastically engage in the former, I believe the latter should be avoided where possible. Surely, the authors of the response article never intended to attack anyone at a personal level, and were interested exclusively in the former. However, I do think that even the semblance of personal discreditation of the researcher, as a person, can and should be avoided even more. In this case, the response mentions my name an impressive 141 times, including in the title. Many of its remarks contain unnecessary personal elements, and could be phrased much more respectfully. For example, where the respondents write

Hopman’s superficial engagement with the literature is evidenced by the fact that she treats covert research as a binary (covert versus overt) venture. This way, she fails to appreciate the full spectrum of practises that are described in the literature on covert research.

I believe no part of the argument would have been lost if the response had stated

The article’s limited engagement with the literature is evidenced by the fact that covert research is treated as a binary (overt versus covert) venture. This approach does not appreciate the full spectrum of practises that are described in the literature on covert research.

I realise that this style of academic rebuttal is more common in academic work. In fact, I even published an article, based on the back-and-forth debate between Kelsen and Ehrlich in the early twentieth century (Hopman 2021c). At the time, I enjoyed reading the thinly veiled insults going back and forth between the two great professors. In hindsight, I feel embarrassed for enjoying the tone of the debate. The response to my article, while much

milder than the exchanges between Kelsen and Ehrlich, moved me greatly on a personal level. It was very confronting to see my name on so many pages, almost exclusively in a negative context. As a researcher whose aim has always and exclusively been to improve the human rights situation of children anywhere in the world, who attaches great importance to foregrounding the voices of children themselves, it was difficult to be portrayed as a researcher from the Global North who maliciously extracts data from people in the Global South. As a consequence, in future publications I am likely to self-censor, withholding content that could have been valuable to others. Other academics reading this exchange may feel the same. To me, and hopefully to others (in particular respondents and editors), this experience has taught a valuable lesson. Namely, that when dealing with rebuttals, the language should be edited so that its focus is solely on the content of the argument, and all unnecessary elements of personal attack on the researcher should be taken out. This will make the academic debate more pleasant and, more importantly, this will stimulate academic freedom.

9. Conclusion

In this reply, we have debated the criticisms presented in the response article on the original article. We have shown that while there were some useful lessons learned, overall, the response is not really a response to the original article. Rather, the response article created a 'straw man' that bears little resemblance to the original article, and then attacked this resulting 'straw man'.

To the question of whether covert qualitative research should be ethically acceptable in authoritarian situations, we feel we can repeat the conclusion of the original article, which we believe still stands: authoritarian situations inherently carry the risk of human rights violations going unnoticed, due to the limitation of personal freedoms, including freedom of expression, imposed by authoritarian regimes. When human rights violations drop off the research map this creates a culture of impunity, with a potential increase of human rights violations. Excluding a certain authoritarian situation from research severely limits the potential for victims to get access to justice, and it ensures that intervention and development that is evidence-based is made impossible. Therefore, if there are authoritarian situations where research on human rights violations is not possible other than through covert research, hopefully there will be researchers willing to engage in covert qualitative research ([Hopman 2022: 562](#)).

Acknowledgements

The authors thank Phil Clark, Catalina Goanta, Mark Kawakami, Willem Loof, Frank Nellen, and Jan Pronk for their comments on this reply article. Please note that this article reflects only the author's views, and that our funders are not responsible for any use that may be made of the information it contains.

Conflict of Interest

None declared.

Funding

This work was supported by funding from the Dutch Research Council (NWO) [W 07.30318.004], the University Fund Limburg/Children's Rights Research Fund, and the European Research Council (ERC) under the European Union's Horizon 2020 research and innovation programme (grant agreement No 948073).

References

- Beck, C., J. W. Meyer, R. Hosoki, and G. S. Drori. 2019. 'Constitutions in World Society: A New Measure of Human Rights'. In G. Shaffer, T. Ginsburg, and T. C. Halliday (eds), *Constitution-Making and Transnational Legal Order*. Cambridge: Cambridge University Press.
- Birkbak, A. and I. Papazu. 2022. 'Introducing Democratic Situations'. In A. Birkbak, and I. Papazu (eds), *Democratic Situations*, 15–44. Manchester: Mattering Press.
- Burton, R. F. 1987 (1894). *First Footsteps in Eastern Africa or, An Exploration of Harar*. New York: Dover Publications.
- Children's Rights Research, Adala UK, Global Human Rights Defence, terre des hommes Deutschland e.V., terre des hommes schweiz, Western Sahara Campaign. 2022. Submission to the Universal Periodic Review: Kingdom of Morocco. 4th Cycle: March 2022. https://childrensrightsresearch.com/images/CRR-Results/Reports/Childrens_Rights_Research_UPR_Morocco.pdf.
- Children's Rights Research. No date. Moroccan Controlled Western Sahara: Freedom of Expression. Vlogs and Blogs. <https://childrensrightsresearch.com/stories/39-moroccan-controlled-western-sahara-freedom-of-expression>.
- Chilvers, J., and M. Kearnes. 2020. Remaking Participation in Science and Democracy. *Science, Technology, & Human Values* 45(3): 347–80.
- Czada, R. 2015. 'Post-Democracy' and the Public Sphere: Informality and Transparency in Negotiated Decision-Making. In V. Schneider, and B. Eberlein (eds), *Complex Democracy: Varieties, Crises, and Transformations*, 231–46. Switzerland: Springer.
- Davey, R., and I. L. Koch. 2021. Everyday Authoritarianism: Class and Coercion on Housing Estates in Neoliberal Britain. *PoLAR* 44: 43–59. <https://doi.org/10.1111/plar.12422>.
- Glasius, M. 2018. What Authoritarianism is ... and is not: A Practice Perspective. *International Affairs* 94(3): 515–33. <https://doi.org/10.1093/ia/iiy060>.
- Hopman, M. J. 2021a. *Looking at Law Through Children's Eyes*. Cambridge: Intersentia.
- Hopman, M. J. 2021b. The Child's Right to Freedom of Expression in Moroccan-Controlled Western Sahara. *International Journal of Human Rights* 27(2): 582–609.
- Hopman, M. J. 2021c. Wait, What are We Fighting About?—Kelsen, Ehrlich and the Reconciliation of Normative Jurisprudence and Sociology of Law. *Legal Pluralism and Critical Social Analysis* 54(2–3): 155–75.
- Hopman, M. J. 2022. Covert Qualitative Research as a Method to Study Human Rights under Authoritarian Regimes. *Journal of Human Rights Practice* 13(3): 548–64.
- Hopman, M. J., F. Pircher, C. Kerolos, E. Klebanowski, and M. Vounelakos. 2021a. 'Things that a child shouldn't say': *The Right to Freedom of Expression for Children Living West of the Berm*. Maastricht: Children's Rights Research Project/Maastricht University. https://childrensrightsresearch.com/images/CRR-Results/Reports/West_of_Berm_CaseStudy_English_FINAL.pdf
- Hopman, M. J., F. Pircher, C. Kerolos, E. Klebanowski, and M. Vounelakos, 2021b. [ARABIC TITLE]. Maastricht: Children's Rights Research Project/Maastricht University. https://childrensrightsresearch.com/images/CRR-Results/Reports/West_of_Berm_CaseStudy_Arabic_FINAL.pdf
- Jasanoff, S. 2005. *Designs on Nature: Science and Democracy in Europe and the United States*. Princeton, NJ: Princeton University press.
- Kaptejns, L. I. M. 2010. Lewis and Somali Clanship: A Critique. *Northeast African Studies* 11(1): 1–23.
- Kaur, K., B. Grama, N. Roy Chaudhuri et al. 2023. Ethics and Epistemic Injustice in the Global South: A Response to Hopman's Human Rights Exceptionalism as Justification for Covert Research. *Journal of Human Rights Practice* Advance Articles: 1–27. Doi: [10.1093/jhuman/huad008](https://doi.org/10.1093/jhuman/huad008).
- Laurent, B. 2011. Technologies of Democracy: Experiments and Demonstrations. *Science and Engineering Ethics* 17: 649–66.
- Lewis, I. M. 1999. *Pastoral Democracy: A Study of Pastoralism and Politics among the Northern Somali of the Horn of Africa*. Oxford: James Currey Publishers.
- Samatar, A. I. 1992. Destruction of State and Society in Somalia: Beyond the Tribal Convention. *Journal of Modern African Studies* 30(4): 625–41.
- Samatar, A. I. 2011. Debating Somali Identity in a British Tribunal: The Case of the BBC Somali Service. *Bildhaan: An International Journal of Somali Studies* 10.
- Spicker, P. 2011. Ethical Covert Research. *Sociology* 45(1): 118–33.
- Stroup, D., and J. Goode. 2023. On the Outside Looking In: Ethnography and Authoritarianism. *Perspectives on Politics*, 1–16. doi: [10.1017/S1537592722004182](https://doi.org/10.1017/S1537592722004182).