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A reply to Wells

Introduction

By insisting that issues of 'necessity' and 'quality' must come before 'moral' considerations, Wells offers an interesting change of emphasis in the debate concerning the use of covert research methods in criminology. While Wells does not explicitly counsel a complete rejection of covert methods, but a more careful use of them (and of some methods of overt research), overall the article appears geared towards dissuading the potential covert researcher.

Wells' first argument, on the grounds of 'necessity', crystallises around the following contentions. Covert research methods are, she claims, often unnecessary since alternative overt methods are available. Wells then describes problems with the granting of anonymity in order to facilitate covert methods. Finally, she suggests that covert research cannot be justified from the point of view of enforcing accountability, preventing corruption or 'righting wrongs', as it is impossible for an academic to come to a balanced view on ethical questions.

In Wells' second argument on the grounds of 'quality', she maintains that covert research can invalidate findings by missing out the viewpoint of the subject, who alone can interpret the meanings of their own actions, and that the covert researcher's presence in the research setting will often invalidatingly alter the phenomena being studied.

Wells' 'moral' arguments centre around her claims that research subjects have a 'right' not to be studied, and that on a 'disciplinary' level, covert research will harm the future interests of academia and consists in an abuse of the researchers' power over research subjects.

It is my contention that Wells' arguments fail to convince us against the use of covert research against, *specifically*, certain types of powerful groups in society. It will be suggested that an analysis of power relationships is crucial to decisions over research methods in the social sciences. Where Wells (in passing) considers justifications for social research, she appears to switch between research as a search for truth and as a possible instrument of social amelioration. However, one's choice of an ultimate goal for research may influence subsequent decisions over research *methods*. This is especially important in criminology where, it will be maintained, one's choice of research methods is crucial in defining power relationships between the researcher and those being researched.

1. The argument from necessity

Wells' argument here appears rather disjointed. Whilst she claims the existence of overt alternatives to covert research methods, she fails to detail these apart from the rather vague insistence that subjects may well be persuaded to participate if the research is tied not to the exposing of 'corruption or illegal acts' but to 'more benign intentions'. Furthermore, whilst she criticises the granting of anonymity as a device used by covert researchers, most of her critique could apply also to the (extremely frequent) use of granting subjects anonymity in overt research. Finally, Wells criticises the claim that covert research is 'necessary' without specifying which of the purposes she mentions for social research could be used to help evaluate 'necessity'.

Wells hints that the alleged procedural and moral problems associated with covert research are of a different nature than those arising from, presumably, memoirs ('the publication of observations made during the course of an average inquisitive and

judgmental human existence'). Might memoirs therefore be a less problematic alternative to covert research?

Certainly, memoirs have been used extensively in political science research,¹ if less in criminology. However, mirroring the problems associated with any personal account of observed events,² autobiographical memories are often riddled with errors,³ and influenced by current beliefs and self-image.⁴ Personal accounts *can* be checked against official records,⁵ the autobiographies⁶ and verbal accounts of contemporaries,⁷ the works of historians⁸ and peers.⁹

Yet the peculiar status of former participants raises problems if one is to privilege their accounts over observations gained from covert research. The goal of preventing a political opponent's version of events from becoming the historically-accepted view¹⁰ may dominate accounts, which may also be influenced by contemporary political or personal considerations.¹¹ Finally, the fact that autobiographers in particular were previous participants does not necessarily obviate the need for (semi-) deceptive

¹ Bulmer, Martin (1982) 'The Merits and Demerits of Covert Participant Observation.' In: M. Bulmer (ed.), *Social Research Ethics*. London: Macmillan, p. 245.

² Healey, Dennis (1989) *The Time of My Life*. London: Michael Joseph, p. xii.

³ Conway, Martin A. (1990) *Autobiographical Memory: An Introduction*. Milton Keynes: Open University Press, p. 11.

⁴ Ibid., pp. 100-101.

⁵ Young, Hugo (1976) *The Crossman Affair*. London: Hamish Hamilton and Jonathan Cape in association with The Sunday Times, p. 12; Major, John (1990) *The Autobiography*. London: Harper Collins, 1999, p. xiii.

⁶ Healey () *The Time*, p. xi.

⁷ Castle, Barbara (1993) *Fighting All the Way*. London: Macmillan, p. 524.

⁸ Major, p. xiv.

⁹ Young, pp. 126-127.

¹⁰ Benn, Tony (1996) *Diaries: Selected, Abridged and Introduced by Ruth Winstone*. London: Arrow, 1996, p. 443.

¹¹ Young, p. 22. Benn, p. 166.

methods.¹² In conclusion, the use of former participants' accounts cannot always substitute for the contemporary use of dishonest research methods, and often itself involves deception.

Wells also claims that very few attempts at anonymity are completely comprehensive. For instance, if 'we are to deprive our subjects of the right to know that they are being researched, and that their actions and conversations may be published, there seems to be agreement that we owe them, in exchange, the right to anonymity'. *Is there such 'agreement'?* To use one of the sources referenced by Wells, Patrick does not write in terms of his subjects' *right* to anonymity. Rather, he notes that he delayed publication of his book on Glasgow gang life for three reasons: his own desire for self-preservation, to protect the members of the gang, and not to exacerbate the explosive gang situation in the city during that period.

Wells also claims that very few attempts at anonymity are completely comprehensive, thus putting subjects in danger. However, again, this suffers from the examples used. For instance, the 'regional publications of relevance' referenced in Holdaway's bibliography comprise the then highly topical London reports (such as that on the Brixton disturbances) and Sheffield police reports. Any similar contemporary research would have had to make reference to these works as a matter of necessary contextualisation.

On a less pedantic point, while the anonymising of subjects is taken by some as a necessity for *all* research,¹³ this strategy is not without its disadvantages. It could be

¹² Such as surreptitious note-taking during Cabinet. Castle () *Fighting all the Way*, p. 351.

contended that this is especially the case in *overt* research. Guaranteeing confidentiality may suggest to subjects that the researcher feels they have something to hide.¹⁴ More substantively, the use of pseudonyms can affect the validity of research through preventing replication and checking. Further, pseudonyms cannot preserve confidentiality in small, high-profile groups.¹⁵

Perhaps most importantly, when used to disguise certain subjects, pseudonyms prioritise the role position of individuals rather than their individual culpability for events. They militate against public accountability and favour the maintenance of individuals' career chances over others' interests. Offering confidentiality in overt research cannot, therefore, always prevent powerful subjects' use of dissimulating tactics, and can also have counterproductive effects on the validity of research findings. One should not claim therefore that the use of anonymity causes covert researchers any more problems than overt researchers.

Wells details a number of different goals for social research throughout the article, *a propos* of claiming that covert methods are unnecessary for the pursuit of *any* of these goals. Overt methods are preferable to covert methods in the production of research that will be 'of use' (for what?), that will be 'valid as knowledge', that follows from 'good scientific intentions', and that will 'have real, tangible, influence on society'. Yet, the

¹³ William Sanders () 'Introduction.' In: W. Sanders (ed.) *The Sociologist as Detective*. New York: Praeger Publishers, p. 10. Reynolds, P.D. (1982) 'Moral Judgments: Strategies for analysis with application to covert participant observation.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, p. 212.

¹⁴ Barnes, J. A. (1979) *Who Should Know What? Social Science, Privacy, and Ethics*. Harmondsworth: Penguin Education, p. 146.

¹⁵ Although this problem can be diluted if publication is delayed, as with e.g. Heclio, Hugh and Aaron Wildavsky (1981, second edition) *The Private Government of Public Money: Community and Policy Inside British Politics*. London: Macmillan, pp. lxxix, lxxii.

researcher's choice between these various goals could have a large impact upon their subsequent research methods. Wells' arguments against covert research may be more or less relevant depending on whether one sees research as, for example, motivated by the search for truth or by ideological considerations.

Barnes claims that social research was first designed by those politicians and administrators who required data about poor and colonial peoples in order to govern and control them effectively.¹⁶ For some this is still the main function of social research. Social scientists have provided 'techniques and concepts useful to men engaged in struggles for power'¹⁷ over the workforce and citizenry, whilst ignoring the 'ethics and politics of power (which) obtrudes as a red thread in the otherwise pallid canvas' of industrial psychology and sociology¹⁸ and public policy analysis.¹⁹

Uncomplimentary research is seen as risking loss of 'face, force, friends or funds' for the powerful.²⁰ Research findings are perceived as threatening careers, the power of institutions, and the maintenance of institutional culture and hierarchy.²¹

The powerful can further, subtly influence research through their communicative ability and the strength of professional codes. Many powerful individuals are trained in, for instance, interview skills and experienced in handling the press and in negotiation

¹⁶ Barnes, pp. 28-9.

¹⁷ Baritz, Loren (1970) 'The Servants of Power.' In: Jack Douglas (ed.) *The Impact of Sociology*. New York: Appleton Century-Crofts, p. 149.

¹⁸ Ibid., p. 144.

¹⁹ DeLeon, Peter (1995) 'Democratic Values and the Policy Sciences.' *American Journal of Political Science*, 39: p. 895.

²⁰ Cassels Record, Jane () 'The Research Institute and the Pressure Group.' In: G. Sjoberg (ed.) *Ethics, Politics and Social Research*. Cambridge: Schenkman Publishing, p. 38.

²¹ Spencer, G. (1973) 'Methodological Issues in the Study of Bureaucratic Elites: A Case Study of West Point.' *Social Problems*, 21: pp. 92-93.

situations.²² They may possess links with the media and the legal establishment (or the ability to initiate such links through monetary resources or state prerogative). Hence, a socio-economic elite's version of events is prioritised in a system where 'credibility and the right to be heard are differentially distributed'.²³ The right to resist research finds codified expression in doctrines such as commercial confidentiality and ministerial collective responsibility. Challenge of such codes by 'outsiders' is often prevented by their impersonal nature,²⁴ even when 'insiders' freely manipulate them.²⁵

Some schools of social science have also avoided studying the activities of the powerful as a result of *theoretical* orientations. Functionalism,²⁶ the sociology of deviance,²⁷ and *ethnomethodology*²⁸ have all come under fire, especially from 'radical' and 'power-oriented' theorists,²⁹ for their lack of research on the most powerful in society. I share Wells' apparent uneasiness over the concentration of much criminological research on powerless rather than powerful groups. One might ask why it is necessary to adopt underhand methods to study the powerful, when the evidence of (some of) their

²² Bernstein, Carl and Bob Woodward (1974) *All the President's Men- The Truth about the Watergate Scandal*. London: Quarter Books, p. 107. Kincaid, Barry V. and Margaret Bright (1957) 'Interviewing a Business Elite.' *American Journal of Sociology*, 63 (3): pp. 304-311.

²³ Becker, Howard S. (1967) 'Whose Side are We On?' *Social Problems*, 14: p. 241. Also Sjoberg, Gideon and Paula Jean Miller (1973) 'Social Research and Bureaucracy: Limitations and Opportunities.' *Social Problems*, 21: p. 129. And Warwick, D.P. (1982) 'Tearoom Trade: Means and Ends in Social Research.' In: M. Bulmer (ed.) *Social Research Ethics*. London: Macmillan, p. 57.

²⁴ Heclo and Wildavsky, p. lvi.

²⁵ For commentary on Wilson's fifty breaches of the confidential Guidelines for Ministers in comparison with Crossman's widow's battle for publication, see Young, pp. 16, 52, 142.

²⁶ Gouldner, Alvin W. (1973) *For Sociology: Renewal and Critique in Sociology Today*. London: Allen Lane, p. 72; but see also p. 141 of the same work.

²⁷ Gouldner, pp. 32, 37, 39, 49. Becker, Howard S. (1963) *Outsiders: Studies in the Sociology of Deviance*. New York: Free Press of Glencoe, pp. 167, 204-5.

²⁸ Douglas, J.D. (1976) *Investigative Social Research: Individual and Team Field Research*. Beverley Hills: Sage Library of Social Research, pp. 47, 53.

²⁹ Gouldner, p. 51. Nicolaus quoted in Glazer, Myron (1972) *The Research Adventure: Promise and Problems of Field work*. New York: Random House, p. 152.

failures is so obvious for all to see.³⁰ Unfortunately however, the study of those 'let down' or abused by the powerful has often implied an element of culpability on the former's part rather than a criticism of the latter's ineptitude, complacency or cruelty.

Wells' contentions regarding the use of covert methods must be placed within the context of broader debates concerning the nature of the criminological discipline. The examples of criminality given in Wells' article consistently relate to socio-economically marginalized groups. This may be due to Wells' apparent belief that the only valid methodological attitude for criminologists is ethnomethodological. Traditionally, this method has been seen as inappropriate to the study of powerful criminal groups. However, as Slapper and Tombs note, whilst access to scenes of corporate crime in particular may be difficult to negotiate, this does not excuse the fact that 'the record of academics in relation to corporate crime, particularly those within the discipline of criminology, is hardly an impressive one'.³¹

Wells dismisses any 'duty of researchers to expose oppression of the weak by the powerful' as only an 'initially convincing justification for covert research methods'. She suggests that researchers may frequently fail to notice the oppressive character of their subjects' activities. In this connection, all should take heed of Wells' injunction for researchers of gang or street criminality to recognize the often oppressive nature of their subjects' activities. An acknowledgement of the difficulty of detecting oppressive relationships should, however, force the researcher to take their task more seriously,

³⁰ Bok, Sissela (1982) *Secrets*. Oxford: Oxford University Press, p. 248.

³¹ Slapper, Gary and Steve Tombs (1999) *Corporate Crime*. Essex: Pearson Educational, p. 107.

rather than promote the disengagement with moral judgements which Wells' arguments suggest.

For some previous research in the domain of social policy, I had to consider whether the power exercised by 'publicly accountable', figures required the researcher to be prepared to adopt dishonest methods.³² The key to preparing a definition of the 'publicly accountable' appeared to reside in their potential effects on others. A definition of the publicly accountable simply as state employees overlooked the minimal decision-making power of many public workers.³³ Nor was a definition comprising of those acting in or against the public interest acceptable given the Rousseauian homogeneity of interests this view assumes.

My preferred definition centred on 'socially accountable' roles. We can split the 'private' activities of an individual (those which she does for herself) from the public activities (those which she does for others).³⁴ Company executives, teachers, physicians, and politicians are 'publicly accountable', since we have relatively little ability to resist what these figures do 'for us'. Those in relatively low-status, but still other-oriented, roles, such as waiters, are not publicly accountable since we can easily choose whether or not to be affected by them. 'Choice' here should be substantive; formally, we may choose to go to another doctor if our present one is incompetent, but we are unlikely to possess the information required to make an informed decision.

³² Although in practice I did not use these beyond the minor dissimulative tactics reported below which appear common to most research involving policy issues.

³³ E.g. one would perhaps hesitate to call a refuse collector 'publicly accountable'.

³⁴ This view is neutral concerning the public or private nature of domestic activity - parents do of course have significant impact on their offspring, with the latter having little or no say in the matter.

In the context of criminological research, it is conceivable that one might adopt a similar other-affecting criterion for choices concerning which activities might be studied covertly. In this connection, Wells' simple addition of 'an element such as illegality' onto Douglas' list of 'guarded' areas (money and sex) is overly simplistic. Many illegal activities affect others, whilst most non-exploitative sexual relationships, no matter how 'deviant', have little impact on non-participants.

Of course, such considerations confront the contentious question of the boundaries of criminology as a discipline, ongoing since Sutherland's extension of criminality to include social injury beyond procedural, legally-circumscribed definitions of crime. Wells notes that the covert researcher may risk taking up police time, and even a criminal conviction. Yet surely the criminologist must be prepared to examine the meanings of criminality, which would include a reflective attitude towards personal criminal conviction?

Despite her later claim that 'influence on society' might be a legitimate goal of social research, Wells states initially that 'the righting of wrongs' cannot justify covert research, and approvingly quotes Punch's assertion that 'it is impossible to establish a priori which institutions are pernicious'. Wells further claims that the 'existence of practices which one person wishes to expose, means that there must be individuals carrying out this behaviour, to whom it is perfectly acceptable'.

However, these institutions and practices often heavily affect others' interests. Punch's claim here is redolent of another argument frequently made against covert research by functionalist sociologists especially- that the exposing of corruption or abuse

can be counterproductive, destroying traditional judicial, police or government institutions.

Under this argument, some activities are private for a reason and should not be subjected to research. For some the rarified aura of confidential domains may be based upon a rather mysterious view of the state³⁵ and patronising attitude towards the citizenry.³⁶ For others, the confidentiality of certain forms of information is crucial for certain institutions' effectiveness and longevity. Hence, it is claimed that a degree of commercial confidentiality is required for it to be worth firms' while to develop new products. Negotiations and decision-making require 'shelter' from the public gaze; 'full transparency would cripple choice and policy-making in any administration'.³⁷ Creativity and the ability to compromise require that politicians and diplomats be able to try out new ideas and quietly drop others without the humiliation and condemnation of public exposure. Certain policies, such as currency devaluation, require an element of surprise to be successful.

One might accept these claims without agreeing to the level of secrecy which currently shrouds many activities of the publicly accountable. In particular, such arguments do not justify the confidentiality of negotiation *results* or of the *general methods* of judicial or police decision-making, or of many cabinet *decisions* (at least not for the thirty year period for which they are conventionally held); nor should it prevent a

³⁵ Bok, p. 173.

³⁶ E.g. Shils, E. (1982) 'Social Inquiry and the Autonomy of the Individual.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, pp. 138-9.

³⁷ Bok, pp. 175, 182. And Bok, Sissela (1980) *Lying*. London: Quarter Books, pp. 168-9. Sir John Hunt quoted in Young, p. 14.

public debate around the rules by which decisions concerning confidentiality are made in such circumstances³⁸ which at present often remain confidential.

On a deeper level, one might agree that many current systems of diplomatic, economic, policing and political decision making require secrecy to operate, but that for this very reason they should *not* be preserved at all costs. The 'necessity' of secrecy for at least small-scale political decision-making has been contradicted by, for instance, the extensive use of 'consensus' decision-making methods in certain communities. The researcher might therefore consider which interests are protected and promoted by particular institutional conventions in her evaluation of whether or not to break them by using dishonest research methods.

Wells also discounts any justification of covert research from an onus on researchers to enforce public accountability, rooted in the public's 'right to know',³⁹ and the fact that the powerful accept the possibility of limelight as a career hazard.⁴⁰

Given the very political problems of defining the 'public interest', the assuming of any more than an 'ombudsman'-like role⁴¹ by researchers would have to be handled extremely carefully. However, it can be claimed that the social sciences, insulated from short-term partisan pressures, are essential for policy-making, -evaluation, and preserving the public interest.⁴²

³⁸ Bok, pp. 112, 114.

³⁹ Graber, Doris A. () 'Press Freedom and General Welfare.' *Political Science Quarterly*, 101: p. 265.

⁴⁰ Barnes, p. 172.

⁴¹ Douglas, p. 267.

⁴² Rainwater and Pittman, pp. 365-6; Douglas, J.D. (1971) *American Social Order: Social Rules in a Pluralistic Society*. New York: Free Press, p. 77.

2. The argument from quality

Wells criticises covert research as low quality due to its failure to incorporate the views and experience of research subjects, and its lack of recognition of the researchers' own impact on the research setting.

For Wells, it appears, only the individual can interpret their own actions in a meaningful way. Certainly, to *assume* the falsity of a freely-given account ignores the fact that, while the subject may indeed be lying, they are also the ones versed in the situation. It is easy for the researcher to jump to the wrong conclusions, and assume that their assessment of the situation, probably from the viewpoint of a particular social science, correlates with regular participants'. The 'participant is the expert in what he does; the observer's task is to make himself expert on why he does it'.⁴³

Yet as the same authors maintain, subjects may not only lie but be deluded.⁴⁴ Only an outsider can, from a detached position, examine critically the shared myths operant in an institution.⁴⁵

Wells further claims that even the ex-bouncer ethnographer in Winlow et al.'s study would be unable to produce valid findings on 'real' bouncers: we 'can only know how it feels to be ... an ethnographer behaving as a bouncer. Beyond this we are reliant on those we seek to impersonate for enlightenment'. This argument brings to mind a justification for solipsism: since one can never be anyone else but oneself, one has no reason to believe in anyone else's experience. Yet, to put it crudely, one *must* adopt what

⁴³ Heclo and Wildavsky, lxvii.

⁴⁴ Ibid., p. 1.

⁴⁵ Douglas, J.D. (1976) *Investigative Social Research: Individual and Team Field Research*. Beverley Hills: Sage Library of Social Research, pp. 57-58.

P.F. Strawson famously termed the 'personal stance', the view that others do have beliefs and desires akin to our own which are linked to behaviour, if one is to live anything approximating to a social, human existence. The claim that one cannot know what it is like to be a bouncer if one is not a bouncer is rather shallow. One might as well say that one cannot know what it is like to have a mullet if one does not have that particular haircut.⁴⁶

In the second part of her argument from 'quality', Wells develops Bulmer's claim that the very intrusion of a deceptive researcher into the setting threatens 'bad science'.⁴⁷ Covert researchers may be quickly detected by subjects, and the researcher herself has no way of quantifying her 'disruptive effects on the setting and those observed'.⁴⁸ However, *overt* research courts its own observer effects with some subjects feeling inhibited by or acting up to the observer. Observer effects in covert research do not *necessarily* pose more of a threat of invalidating findings than those in overt research.

Wells' consideration of the problems involved in securing consent from overtly researched subjects is interesting. However, Wells fails to acknowledge the continuity between such problems and those encountered in explicitly covert or dishonest research. At the extreme, some researchers have, bluntly, lied outright concerning their research questions. Hence, van der Berghe claimed he was studying the 'spectacular economic

⁴⁶ I am influenced here by criticism of clichéd and uninformative uses of Colin McGinn's question 'what is it like to be a bat?'

⁴⁷ Bulmer, Martin () 'Ethical Problems in Social Research: The Case of Covert Participant Observation.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, p. 9.

⁴⁸ Erikson quoted in Denzin, N. and Kai Erikson (1982) 'On the Ethics of Disguised Observation: An Exchange.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, p. 145.

development of South Africa'⁴⁹ rather than apartheid, and Black and Reiss claimed to be studying criminals' activities rather than those of the police.⁵⁰ In highly stratified or status-conscious societies or organisations, researchers have lied to increase⁵¹ or decrease⁵² their caste, marital or other status. They have falsely claimed sympathy with particular political positions.⁵³ Through the 'assertive stance', they have presented themselves as much more knowledgeable than is the case.⁵⁴

Such relatively clear cut cases shade off into the more ambiguous situations confronting many if not most social policy researchers engaging in qualitative research. Although dishonest research is outlawed by most major funding bodies upon which many researchers rely,⁵⁵ it appears that *some* (albeit very slight) amount of dishonesty is *expected* by the academy in any research touching on controversial questions.

For pragmatic reasons such as timing, it may be impossible to inform subjects of exact research questions and procedures.⁵⁶ The need to avoid explicit rejection counsels an evasive approach.⁵⁷ Some maintain that complete openness is self-defeating since it

⁴⁹ van den Berghe, Pierre L. () 'Research in South Africa: The Story of My Experience with Tyranny.' In: G. Sjoberg (ed.) *Ethics, Politics and Social Research*. Cambridge: Schenkman Publishing, p. 185. Glazer, p. 106.

⁵⁰ Galliher, John L. (1982) 'The Protection of Human Subjects: A Re-examination of the Code of Professional Ethics.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, p. 153.

⁵¹ Barnes, pp. 123-124.

⁵² Kaplan Daniels, Arlene () 'The Low-Caste Stranger in Social Research.' In: G. Sjoberg (ed.) *Ethics, Politics and Social Research*. Cambridge: Schenkman Publishing, p. 268.

⁵³ Spencer, p. 102.

⁵⁴ Douglas, p. 179.

⁵⁵ For example, the Economic and Social Research Council's Research Funding Rules require 'honesty to research staff and subjects about the purpose, methods and intended and possible uses of the research, and any risks involved'. Section 22.2 of Economic and Social Research Council Research Funding Rules, accessed at [Http://www.esrc.ac.uk/esrccontent/researchfunding/rf_rules.asp](http://www.esrc.ac.uk/esrccontent/researchfunding/rf_rules.asp) on the 27th April 2003.

⁵⁶ Warwick, p. 48.

⁵⁷ Douglas, p. 33.

'signal(s) the type of answers desired' by the researcher.⁵⁸ Some even claim that if the social scientist's data 'are to be valid, to some extent he must continue to conceal from them (the subjects) what he is trying to find out', as does the medical doctor during a consultation to prevent patients second-guessing his diagnoses.⁵⁹

As an example, I have consistently attempted to maintain 'honesty' in my research on the publicly accountable. However, I found that in the complex situation of an on-going research project, many of the dichotomies between honesty and dishonesty considered above were overly stark. For instance, only those actors with enough time to check interview transcripts and article drafts could ensure fair representation of their views and make use of the right to reply offered. Furthermore, I was obliged on some occasions to suppress particular personal details (such as my political party membership, and opinions on the subject being discussed) from interviewees on the grounds that making these clear could have either inhibited the interviewee or made polite discussion difficult or impossible. Certainly, I was dishonest (by omission) on these occasions. Yet, the veneer of objectivity preserved in most academic circles would suggest that the academy is prepared to routinise such (minor) deception. (This is unless one is to maintain that researchers cannot and do not have opinions on what they are researching, a claim which has provoked avalanches of scholarly comment over the past two centuries which cannot be engaged with here).

⁵⁸ Glazer, p. 118.

⁵⁹ Barnes, pp. 110-111. Although this rather inaccurately assumes that all researchers will be using grounded theory.

3. The argument from ethics

Wells' argument from ethics relates to what she terms 'personal and moral' considerations (presumably consisting in a right against covert study) and 'disciplinary' morality (consisting in the power of the researcher over the subject, and the dangers to academia of covert research methods).

Wells' brief reference to the right to be 'free from the risk of being covertly studied' presumably refers to the absolutist position that lying to research subjects is as immoral as lying to any other humans. This maintains that lying to subjects degrades the relationship we have with them as people, qualifying their freedom to make reflective choices.⁶⁰

This 'right' appears in most instances to be based on a 'harm' criterion. Hence Erikson criticises covert research partly because, he claims, only the individual studied can make a judgement concerning the harm involvement in research might cause her.⁶¹ To claim that only such harm should be incurred as can be justified by scientific⁶² and/or societal gain,⁶³ may indeed lead to abuses. Some may disregard harm caused to subjects they consider utterly morally reprehensible.⁶⁴ For others the choice is more nuanced. Those who are organised in relatively powerful institutions (i.e. parts of the bureaucracy or of the military) will find it easier to claim and 'demonstrate' likely harm from research, whether such harm is alleged towards individuals or the group, and whether the harm is physical, mental, or towards interests. The unorganised may find it less easy to resist, particularly in alleging 'group harm'.⁶⁵

Further, to codify such harm considerations into a 'right' may obscure more than it reveals. Choice of research methods can excite complex cost-benefit analyses. Humphreys' choice of covert research methods in his study of cottaging, for instance,

⁶⁰ Warwick, p. 42.

⁶¹ Erikson quoted in Denzin and Erikson, p. 148.

⁶² Becker quoted in Fielding, N. (1982) 'Observational Research on the National Front.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, p. 91.

⁶³ Galliher, p. 162.

⁶⁴ As did Pierre van der Berghe, p. 195. And Wells notes the temptation to change one's opinion on research ethics when the subject's activities are 'personally distasteful'.

⁶⁵ Roth reported by Galliher, p. 155. C.f. also p. 158 of the same work.

might be conceptualised as the prioritisation of collective interests (the long-term interests of all homosexuals against criminalisation, *albeit* as *Humphreys* saw these⁶⁶) over individual interests (those of the particular homosexuals studied).

Wells also engages with what might be termed the argument from 'relativity'. Some allege that dishonest activity permeates society.⁶⁷ Given this, the *a priori* refusal to rule out dishonest methods in research appears rather naïve. If a right to privacy does exist, some see subjects, as Wells notes, as able to forfeit this. I would agree, however, with Wells that the 'maintenance of a protective occupational culture',⁶⁸ or conscious subversion of accountability through 'deniability',⁶⁹ does not *in itself* sanction dishonest methods.⁷⁰

Wells also objects to the more wide-ranging idea that covert research can be justified as normal when it is abnormal for anyone to act 'honestly and openly their entire lives'. This appears to relate to justifications of covert research methods resting on Goffmanesque ideas of self-presentation. If individuals are constantly 'deceiving' each other through presenting fronts, why should one not use such methods for the positive métier of social science?⁷¹ Mistruths need not be harmful; we often lie through tact or kindness as well as through cunning.⁷² Indeed, every conversation involves, for Garfinkel, an 'everyday conspiracy' where the interlocutors ignore failures 'to meet the impossible tests of the objectivity assumption'.⁷³

The ethical question is not *whether* to don a 'mask' (since everyone does), but which one. Hence, some claim that the researcher is acting ethically insofar as her self-presentation does not harm others.⁷⁴ However, self-presentation and lying through

⁶⁶ A very large caveat.

⁶⁷ Douglas, pp. 67, 75. Vaughan, Ted R. () 'Governmental Intervention in Social Research: Political and Ethical Dimensions in the Wichita Jury Recordings.' In: G. Sjöberg (ed.) *Ethics, Politics and Social Research*. Cambridge: Schenkman Publishing, p. 67.

⁶⁸ Holdaway, Simon (1982) 'An inside Job: A Case Study of Covert Research on the Police.' In: M. Bulmer (ed.) *Social Research Ethics*. Basingstoke: Macmillan, p. 64.

⁶⁹ Bernstein and Woodward, p. 171.

⁷⁰ Barnes, p. 122. Bok, p. 247.

⁷¹ Barnes, p. 106.

⁷² Douglas, p. 60.

⁷³ Garfinkel quoted in Molotch, Harvey and Marilyn Lester (1974) 'News as Purposive Behaviour: On the Strategic use of Routine Events, Accidents, and Scandals.' *American Sociological Review*, 39: p. 27.

⁷⁴ Denzin quoted in Denzin and Erikson, p. 144.

compassion for others are generally 'accepted' (if unfortunate) forms of mistruth, while lying for social science is not acceptable for many people.⁷⁵ Not every front is the same; the question for the potentially dishonest researcher is not of kind (whether people ever deceive others), but of degree (how much deception is acceptable and for what reasons).

Wells' final 'moral' objection (concerning the 'disciplinary' effects of covert research) appears most problematic. Wells seems here to offer two contradictory claims.

First, she claims that covert research could harm future academics' access to the same research field (if acknowledging that damage could also be caused by badly done overt research⁷⁶). Hence, deceptive research may decrease access for future researchers to particular research settings.⁷⁷ The deceptive researcher 'should recognise that he may be able to study many organisations only once; and he may block access for other researchers (at least for a time)'.⁷⁸

The potentially deceptive researcher should, in effect, ask himself whether studying one controversial aspect of the publicly accountable's behaviour is worth preventing access to his subjects for other researchers. Yet it could be maintained that in some cases maintaining access may not be particularly *academically useful*. The power of gatekeepers to certain criminal and non-criminal institutions may be such that no researcher would be able to gain access without accepting validity-threatening conditions concerning research methods, questions, and/or (the prevention of) publication. In these circumstances one well-done covert study may be judged of more academic importance than a series of compromised works.

The social sciences' weakness is, for some, all too evident with regard to researching particular groups, particularly given a lack of legal immunities.⁷⁹ Various strategies have been advocated for *augmenting* the ability of researchers to study powerful groups using non-deceptive methods. Some have promoted the creation of

⁷⁵ Herrera, C. D. (1999) 'Two Arguments for "Covert Methods" in Social Research.' *British Journal of Sociology*, 50: p. 337.

⁷⁶ I would add that the 'closing' of research settings can also be provoked by 'well done' but contentious overt research which has the misfortune of irritating gatekeepers.

⁷⁷ Barnes, p. 152. Fielding, p. 95. Sanders, pp. 9-10.

⁷⁸ Spencer, p. 102.

⁷⁹ Glazer, p. 11.

institutions along professional lines which could act in a quasi-trade union manner as protectors of social research.⁸⁰ Others have seen the problem in the paucity of long-term private funding.⁸¹ For some, the best guarantor of scientific integrity in the face of state or business pressure is the individual, distinguished scholar, working on her own.⁸² Others, drawing on Habermas and Lukács, favour 'reflexive' communities of scholars who would work together to eliminate their own and others' 'false consciousness'.⁸³ It could be claimed that concentrating on planning and building these institutional prerequisites to foster equality between publicly accountable subjects and researchers might offer us an escape from the rather extreme question of whether deceptive methods are or are not ever justified.

Elsewhere in the article, however, Wells claims that the researcher is *always* more powerful than the subject. Without further explanation, there is little to differentiate this from other (albeit more comprehensively argued) claims of constant power relationships such as that by Janet Finch and others that women are always relatively powerless whether research subjects or researchers. The academic's research opportunities and resources may differ greatly between the 'gated' arenas of the powerful and the more permeable boundaries around powerless deviant groups. Hence Wells notes Punch's concern that 'it seems somewhat specious that academics can employ deception with high moral purpose against those that they accuse of deception'.

Both of Wells' 'disciplinary' points are relevant and can be synthesised; but this, crucially, takes place within an analysis of the power relationships between the researcher and the researched, which will change depending on the time, individual and research setting concerned. *The consistent researcher must, particularly, allow herself only the same standards of privacy as she would advocate for others in similar positions.*

Pace Mannheim, social scientists are, if not as ensconced in the elite as Maoist theory claims,⁸⁴ certainly members of the 'middle levels of power'⁸⁵ and in some respects a

⁸⁰ Sjoberg and Miller, p. 142.

⁸¹ Heclo and Wildavsky, p. liv.

⁸² Record, p. 47.

⁸³ Gouldner, pp. 93, 100, 114.

⁸⁴ Gouldner, p. 419.

⁸⁵ Mills, C. Wright (1956) *The Power Elite*. London: Oxford University Press, p. 245.

'loosely organised but coherent Establishment'.⁸⁶ This status is in part based upon ability to affect the welfare of subjects, suggesting that social researchers themselves should be publicly accountable to some extent. Therefore, *academics must be willing to apply the same ethical tenets to study of themselves as to other segments of the publicly accountable and/or powerful*. As 'we define the problems of access to a powerful profession, we must be careful to consider what this means for us as one of the powerful professions'.⁸⁷

Conclusion

Wells' article usefully critiques knee-jerk reactions concerning covert research, whether from those who maintain from the start a moral prohibition or from those who combatively assert the need for covert research without adequately considering alternatives.⁸⁸

Wells legitimately maintains that two wrongs do not, of themselves, make a right. Deceptive research is often unnecessary since data can be retrieved from autobiographies, or from participants reassured by guarantees of confidentiality, so long as potential problems with such tactics are borne in mind. Deceptive research can have harmful consequences for the validity of data thus obtained, for the standing of social scientists in the future, for the maintenance of effective public institutions, and often for research subjects themselves, who should often should be involved in judging the legitimacy or otherwise of research. My argument has been that overt research can also have these consequences.

Whatever one's opinion of deception in social research, ethical scruples cannot explain the dearth of research, 'honest' or otherwise, on the powerful. To explain this one must look less at the defensive measures of the powerful than at the theoretical

⁸⁶ Gouldner, p. 55.

⁸⁷ Barber, Bernard () 'Research on Human Subjects: Problems of Access to a Powerful Profession.' *Social Problems*, 21: pp. 103-112

⁸⁸ As might be claimed of Jack Douglas to an extent.

preconceptions, sympathies, and frankly, failures of social researchers, including criminologists, to tackle controversial but crucial questions. Decisions on the use of covert or overt methods can only be taken from such a critical, reflexive perspective.