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## ETHICS, RESEARCH REGULATIONS, AND CRITICAL SOCIAL SCIENCE

Gaille S. Cannella and Yvonna S. Lincoln

The social, intellectual and even political positions from which the notion of research ethics can be defined have certainly emanated from diverse knowledges and ways of experiencing the world, as well as from a range of historical locations. The regulation of research ethics (especially legislated regulatory positions) has, however, most often been influenced by traditional, postpositivist orientations. Clifford G. Christians (2005) discusses the histories of research ethics, from a value-free scientific neutrality that constructs science as “political only in its application” (Mull, 1859/1978; Rorty, 1993, p. 129; Weber, 1904/1949) to communitarian perspectives that challenge researchers to join with communities in new forms of moral articulation (Benhabib, 1992; Denzin, 1997, 2003).

In 2007, in a special issue of *Qualitative Inquiry* dedicated to research ethics and regulation, we discussed these multiple locations as well as contemporary power orientations from which diverse perspectives emanate. We focused on legislation imposed on researchers regarding the ethical conduct of research; ethical perspectives practiced, taught, or denied by those who teach and perform research methods; contemporary concerns that research is legitimated through market philosophies and voices of the marginalized, created as the Other by through research practices, intertwined throughout our discussion was the recognition that regulation in its multiple forms results in an illusion of ethical practice and that any universalist ethic would be “catastrophic” (Foucault, 1985, p. 12). Further, the diversity of theoretical positions and perspectives within the field of qualitative inquiry has already generated rich and profound possibilities for reflexive ethics. From within these diverse perspectives, authors in the special issue reconceptualized research ethics as particularized, infused throughout inquiry, and requiring a continued moral dialogue—as calling

for the development of a critical consciousness that would challenge the contemporary predatory ethical policies facilitated through neoliberalism (Christians, 2007; Clark & Sharf, 2007).

We who identify ourselves as critical in some form (whether hybrid—other—subject—feminist—scholar) have attempted to engage with the multiplicities embedded within notions of ethical scholarship. Being critical requires a radical ethics, an ethics that is always/already concerned about power and oppression even as it avoids constructing power as a new truth. The intersection of power, oppression, and privilege with issues of human suffering, equity, social justice, and radical democracy results in a critical ethical foundation. Furthermore, ethical orientations are believed to be played out within the personal core of the researcher as she or he examines and makes decisions about the conceptualization and conduct of research as either oppressive or emancipatory practice.

A conceptualization of what some have called a *critical social science* incorporates the range of feminist, postcolonial, and even postmodern challenges to oppressive power, as well as various interpretations of critical theory and critical pedagogies that are radically democratic, multilogical, and publicly, culturally concerned with human suffering and oppression. Traditional social science tends to address research ethics as following particular methodological rules. In practices that are designed in advance and would reveal universalist results identified as ethical from within an imperative that would generate to “save” humankind. For criticalists, however, this “will to save” is an imperialist imperative; rather, critical radical ethics is relational and collaborative; it aligns with resistance and marginality. In

*Ethical Futures in Qualitative Research*, Norman K. Denzin and Michael D. Gartina (2007) describe the range of scholars who have called for a collaborative critical social science model that

"aligns the ethics of research with a politics of the oppressed, with a politics of resistance, hope and freedom" (p. 35).

A critical social science literally requires that the researcher reconstruct the purposes of inquiry to engage with the struggle for equity and justice, while at the same time examining (and counteracting) individual power created for the researcher within the context of inquiry. The ethics of critical social science require that scholars "take up moral projects that deconstruct, honor, and reclaim indigenous cultural practices" (Denzin & Giardina, 2007, p. 35), as well as engage with research that mobilizes collective actions that result in "a radical politics of possibility of hope, care, and equality for all humanity" (p. 35).<sup>1</sup> Researcher actions must avoid the perpetuation or maintenance of inquirer-oriented power (as savior, decolonizer, or one that would empower).

A critical social science reconceptualizes everything, from the embeddedness of ethics (and what that means) to the role of ethics in constructing research questions, methodologies, and possibilities for transformation. The major focus of this chapter is to examine the complexities of creating an ethical critical social science within our contemporary sociopolitical condition, a condition that has reinscribed the regulatory empire through neoliberal Western discourses and regulatory technologies that would intervene into the lives of and literally create the Other and that continues redistribution of resources for neoliberal purposes (fewer from within a new administration in the United States that we believe is concerned with equity, anti-oppression, and social justice). We have previously discussed the positions from which research ethics tend to have been drawn, ranging from government regulation to voices of peoples who have not benefited and have often been damaged by research (Gannella & Lincoln, 2007; Gannella & Manuelli, 2008; Virruza & Cannella, 2006). In this chapter, we use these various standpoints to further explore a radical ethics as necessary for critical social science. We focus on constructing dialogic critical foundations (that we hope are anticolonial and even countercolonial) as well as reconceptualizing inquiry and forms of research (and researcher) regulation. Critical perspectives are located in the continuous alliance (and attempts at solidarity) with countercolonial positions and bodies and with the always-already historical acknowledgment of interesting forms of privileging/oppression within contemporary contexts.

Furthermore, an evolving critical pedagogy (Kincheloe, 2007, 2008) is employed as a lens from which to generate forms of critical ethics that would transform academic (and public) spaces. This evolving critically reconquers the purposes of inquiry to focus on the dynamics and intersections of power relations between competing interests. Inquiry becomes the examination of contemporary forms of domination, as well as studies of what "could be"—of equitable and socially just futures. In addition, governmentality is addressed as produced by and producing forms of regulation interwoven with

individual technologies of desire and accepted institutional practices. Finally, research regulation as ethical construct is rethought as reconfigured through the voices of those who have been traditionally marginalized as well as through the deployment of a critical social science whose purposes are to "join with" rather than "know and save."

## II. CONSTRUCTING CRITICAL WAYS OF BEING

Although not without conflicting beliefs, the range of critical perspectives (whether feminisms, poststructuralist work, queer theories, postcolonial critique, or other forms of knowledge that would address power) all tend to recognize the ways that particular groups of people have historically and continually been denied access to sites of power and have been systematically disenfranchised. These critical viewpoints have increasingly identified with marginalized peoples and have recognized the need to avoid forms of representation that maintain power in traditional locations. Furthermore, critical perspectives have called for the formation of alliances and attempts to join the struggle for solidarity with those who have been oppressed and inequally treated. Patriarchal, racist, and colonializing forms of power are understood as historically grounded and recognized as never independent of cultural, political, and social context. For these reasons, we begin with a discussion of the need for critical ethical alliances that are always cognizant of the historical grounding and dominant power structures within the present.

*Ethics and countercolonial alliance.* An ethical perspective that would always address human suffering and life conditions, align with politics of the oppressed, and move to reclaim multiple knowledges and ways of being certainly involves complexity, openness to uncertainty, fluidity, and continued reflective insight. Diverse conceptualizations of critical social science have reintroduced multiple knowledges, logics, ways of being in the world, and ethical orientations that have been historically marginalized and brutally discredited, facing violent attempts at erasure. As examples, Linda Tithoni Smith (1999) proposes four research processes that represent Maori collective ethics—decolonization, healing, transformation, and mobilization. Lester Fabiana Rigney recommends that research methods privilege indigenous voices, resistances, and political integrity (1999). Sandy Grande (2007) puts forward Red pedagogy, an indigenous methodology that requires critique of democracy and indigenous sovereignty, functions as a pedagogy of hope that is contingent with the past, cultivates collective agency, is concerned with the dehumanizing effects of colonization on both the colonized and the colonizers, and is boldly and unashamedly political. Using Biniamin Levinas's focus on the primacy of the well-being of the Other (1988), Jenny Ritchie and

Cheryl Rau (2010) construct a countercolonial ethics, labeled an *ethic of alterity*, which would shift the focus from "us" or "them" to "a collective reconquering of who 'we' are" (p. 364). Corrine Giese (2007) even suggests that the purpose of research should be solidarity: "If you want to research us, you can go home. If you have come to accompany us, if you think our struggle is also your struggle, we have plenty of things to talk about" (p. 171). Critical pedagogues focus on the underpinnings of power in whatever context they find themselves and the ways that power performs or is performed to create injustice.

These are just a few of the ethical locations from which a critical social science has been proposed, introducing multiplicities, complexities, and ambiguities that would be part of any moral reconceptualization and practice of research focusing on human suffering and oppression, radical democracy, and the struggle for equity and social justice. Furthermore, those of us who have been privileged through our connection with the dominant (e.g., education, economic level, race, gender) and may at least appear as the face of the oppressor must always avoid actions or interpretations that appropriate. We must struggle to "join with" and "learn from" rather than "speak for" or "intervene into." Voices from the margins demonstrate the range of knowledges, perspectives, languages, and ways of being that should become foundational to our actions, that should become a new center.

At various points, we have attempted to stand for a critical, transimperial social science, for example, with Virruza (Virruza & Cannella, 2006) the critique of the construction of the ethnographic subject and the examination of privilege created by language in research practices, with Manuelli (Gannella & Manuelli, 2008) in proposing that social science be constructed in ways that are egalitarian, anticolonial, and ethically embedded within the nonviolent revolutionary consciousness proposed by hooks (1990). Recognizing that ethics as a construct is always and already essentializing, we have suggested that a revolutionary ethical conscience would be anticolonial and ask questions like: How are groups being used politically to perpetuate power within systems? How can we challenge the research imaginary (e.g., regarding gender, race, childhood) to reveal the possibilities that our preconceptions have obscured? Can we cultivate ourselves as those who can desire and inhabit untought spaces regarding research (about childhood, diverse views of the world)? (Lincoln & Cannella, 2007). Can we critique our own privilege? Can we join the struggle for social justice in ways that support multiple knowledges and multiple logics? These diverse perspectives and the underlying moral foundations from which they are generated are basic to the construction of an ethical, critical, even anticolonial social science. The ethics and the science must be understood as complex, must always be fluid, and must continually employ self-examination.

Furthermore, using the scholarship of Michel Foucault, Franz Fanon, Judith Butler, and Gayatri Chakravorty Spivak (Anthony C. Alessandrini (2009) calls for an ethics without subjects that is a new concept of ethical relationships, a responsible ethics that can be considered "after" humanism. (p. 78). This postcolonial ethics would not be between people, rather in its future-oriented construction, an ethical relationship would occur with "would-be subjects that have not yet come into existence" (p. 78). The ethical relations would address contemporary political and power orientations by recognizing that the investigator and investigated (whether people, institutions, or systems) are subjects of the presence or absence of colonialism (Spivak, 1987). The tautology of humanist piety that would "save" others through science, religion, or politics would be avoided (Fanon, 1957; Foucault, 1984a). Yet, the Enlightenment backlash that insists on a declaration of acceptance or rejection would be circumvented, while at the same time a critical lexibility is maintained (Butler, 2002; Foucault, 1984b). Ethics would involve being responsive and responsible to, while both trusting and avoiding construction of the Other. Ethical responsibility would be to a future, which can be accepted as unknowable (Atridge, 1994).

Drawing from Ritchie and Rau (2010), we would also support a critical research ethics that would counter colonialism. This critical ethics would value and recognize the need to

- Expose the diversity of realities
- Engage with the webs of interaction that construct problems in ways that lead to power/privilege for particular groups
- Reopen problems and decisions toward social justice
- Join in solidarity with the traditionally oppressed to create new ways of functioning

*The magnitude and history of contemporary power.* The ethics of a critical social science cannot avoid involvement with contemporary everyday life and dominant societal discourses influencing that life. Research that would challenge oppression and foster social justice must acknowledge the gravity of context and the history of power within that context.

In the 21st century, this life has been constructed by the "Imperial Court of Corporate Greed and Knowledge Control" (Kincheloe, 2008, p. 15). Interpretations of knowledge and literally all human activity have been judged as valid and valuable if they fit the entrepreneurial imperative, and profiting. In recent years, many of us have expressed outrage regarding this hypercapitalist influence, the free market illusion, over everything from definitions of public and higher education as benchmarked and measurable to privatization of services for the public good, to war mongering as a vehicle for corporatization, to technologies that produce human desires that value self and others only as economic, measured, and entrepreneurial performers (Cannella & Miller, 2008; Cannella & Virruza, 2004; Chomsky, 1999; Horwitz, 1992).

Many of us would hope that a different administration, in Washington, D.C., combined with the current financial crisis

around the world, would result in confrontation with and transformation of capitalist imperialism. However, contemporary corporate fundamentalism is so foundational to dominant discourses that questioning failing corporations is not at all synonymous with contesting corporate forms of intellectual colonization. Examples abound in the early 21st century, like the discourse that labeled AIG as "too big to fail, attempts to convince European governments to create stimulus packages, or presidential administrations regarding "raising standards" in public schools (rather than the recognition of structural inequalities in the system and taking actions to broaden definitions of public education as related to critical democracy and social justice).

Actually, the economic crisis may have created a new urgency within which critical scholars and others must take action. Living within a context in which "corporate-produced images" (Kincheloe, 2007, p. 30) have created new ideological templates for both affect and intellect, the need to accept corporate discourses and align with business interests is assumed. Corporate discourses have been so fused into the fabric of everyday life that most are not even recognized as such (for example, the construction of elitist public schools, which had been previously derided as not equitable or benefiting the common good—for example, by Jusher, 2007) and others—immediately following Hurricane Katrina in New Orleans). This illustrates what Klein (2007) has identified as "disaster capitalism." In the current economic crisis, even as big business is criticized, an unquestioned language of hypercapitalism (e.g., competition, free market, choice) results in further depoliticization of corporate colonization of the mind (both the mind of society and the mind of the individual) and of societal institutions (e.g., acceptance of privatized public services, education, even the armed forces). The Obama administration's unquestioned implementation of the Bush administration's charter school agenda for public education in the United States is an excellent example. The charter school concept has been used to reawaken the "free-market" notion of public school choice (which was originally rejected when put forward as vouchers) and reinvigorate the power of the business roundtable, corporate turnaround models, and profecting in public education.

"Western knowledge producers" (Kincheloe, 2008, p. 10) have held that their various forms of information were universal and enlightened (and as the progress that all should embrace, whether tied to the Christian religion or Cartesian science), in all conditions a risky circumstance for those who do not produce that knowledge. However, the politics of knowledge is even more dangerous when embedded within hypercapitalism and the power generated by capital and those that control resources. The acceptance of corporate perspectives that would involve capitalist accountability constructs like evidenced-based research or scores on particular achievement tests (created by multinational companies) decontextualize and further subjectify and objectify students and children, their teachers, and their families. Human

beings are treated as if their bodies (defined as achievement test scores) were the measure of "what works" within a particular discourse, just as financial success is used as the measure of a supposedly free-market, competitive, successful enterprise. Definitions are not questioned because the measured and measurement language and discourses of neoliberalism are accepted as correct, efficient, indisputable, universal, and even just. This contemporary condition constructs particular views of morality and equity and thus expectations for what can be defined as ethical. From within this context, conceptualizing ethics and ethical practices as independent from (and necessary challenges to) hypercapitalism is very difficult but absolutely necessary.

The ethics of a critical social science requires the cultivation of a consciousness that is aware of both the sociopolitical condition of the times and one's own self-productive reactions to dominant disciplinary and regulatory technologies. This awareness involves engaging with the complexities of power and how it operates in the social order. Critical ethics would recognize the dominant (in our contemporary condition economics) but would never accept the truth of a superstructure (like economics) as always dictating human existence. Finally, a critical immanence would be necessary to move beyond ethnocentrism or egocentrism and construct new, previously unthinkable-of relationships and societal possibilities (Kincheloe, 2007).

#### ■ ETHICS, CRITICAL SOCIAL SCIENCE, AND INSTITUTIONALIZED FORMS OF GOVERNMENTALITY

In recent years, research ethics have been most often tied to one of the following:

- An ethics of entitlement (Gleason, 2007) that legitimizes engagement in research and the right to "know" the other
- Qualitative research methods, which require and employ ethical considerations like reflexive ethics (Guttmann & Gilliam, 2004)
- Communitarian ethics through which values and moral commitments are negotiated socially (Christians, 2007; Deming, 1997, 2003)
- Forms of legislated research regulation (e.g., institutional reviews of projects) that create an illusion of ethical concern (Fincham & Terrey, 2004)

All are embedded within the notion of governmentality, either the construction of technologies that govern by producing control of populations (regulatory power) or the internalized discipline of bodies of individuals (researchers) based on the desire (from a range of value perspectives) to construct a particular self within the context (Foucault, 1978). The reader can consider *govern* as the action and *mentality* as the way people think about accepting control, the internalization of beliefs that allow regulation (Dean, 1999).

Research regulation that is legislated is most often reexamined (and critiqued) as an institutionalized form of governmentality, a technology of power that constructs, produces, and limits and is thus tied to the generation of interesting oppositions. However, Foucault (1986) also discusses the construction of self-governance, "political technologies of individuals" (p. 87), that are entirely internalized. There is a range of examples of this individual governmentality: from technologies of the "free citizen" (Rose, 1999), to the "well-educated person" to the "good teacher" even to the "transformative activist" or the "diagnostically engaged researcher." We believe that our discussion of ethics within critical social science can be interpreted as a form of governmentality, most likely any construction of ethics (however flexible) represents a form of governance. To construct a critical ethics regarding research is to address mentality. Any belief structure, however emergent or flexible, certainly serves as discipline and regulation of the self.

Since research has traditionally been a predominantly individual project and research regulation is legislated practice, both forms of governmentality (self and researcher population) must be considered in constructing an ethical critical social science. While a critical social science would always examine and challenge the notion of governmentality as "truth structure," the construction of a critical desire for countercolonial solidarity, the embeddedness within institutional expectations regarding research, and the contemporary regulatory context within which research is practiced cannot be denied as themselves forms of governmentality.

*Individual desire and forms of governmentality:* Critical and qualitative researchers have for some time critiqued the power orientations of research methods, have discussed practices that facilitate a reflexive ethical orientation throughout the research process and have certainly rethought the purposes of research as construct. As examples, Walkerdine (1997) warns against the "voyeuristic thrill" of observation that constructs researcher as expert in what people are "really like" (p. 67). Feminists, post-structuralists, constructivists, and other scholars associated with postmodern concerns with oppression and power have engaged in principled struggles concerning the concretization of research itself, from the purposes of research, to forms of representation (Fire, Wéssén, & Weng, 2000; Tiedlock, 2005), to the role of the researcher. Questions like the following have been asked: "How are forms of exclusion being produced? examines its own will to emancipate? ... How does the practice of research reinscribe our own privilege?" (Cannella & Lincoln, 2007, p. 321). These ethical positions and concerns are certainly being incorporated into constructions of research projects and publications, as well as in new forms of education and coursework for graduate students. These positions are critical forms of governmentality.

However, the interconnected structures that characterize the dominant (neoliberal) research community and the institutions that support research are not critical and tend to support modernist forms of governmentality. Ethics are likely to be legitimated or constructed by individual researchers from within value structures that either maintain that science can solve all problems, therefore legitimating intervention into the lives of others in the name of science, or that free-market capitalism will improve life conditions for all, also used as the ethical justification for research choices and actions. These conceptualizations of ethics (for individuals and institutions) remain modernist, male-oriented, and imperialist (especially as related to labeling individuals, supporting particular forms of knowledge, and underpinning the dominance of neoliberal economics generally). These structures are interconnected (Collins, 2000) and invasive, have a long history, and will likely dominate into the foreseeable future.

Even though we support a critical social science that would be relational, collaborative, and less individualistically oriented, the contemporary context continues to be oriented toward power for the individual researcher. Therefore, while we would continually critique the privileging of the individual as construct, we also believe that perspectives that avoid universalist ethical codes yet address individual ethical frameworks are necessary. We hope that from the perspective of an ethical critical social science, individual governmentality as construct can always be challenged. However, we would also avoid the Enlightenment blackmail (Barber, 2002; Rorty, 1984) that either accepts or rejects individualism and would submit that the individual is conceptually a useful master's tool (Lorde, 1984) as well as a critical agent. We would, therefore, propose the development of the desire to be critical of a form of double individual governmentality through which the researcher is both instrument in the critique of power and collaborative agent in joining with traditionally marginalized communities.

The work of Foucault (1985), which challenges the individual to counter his or her own fascist orientations that would yield to the love of power and domination, is an illustration of this doubled conceptualization, even a doubled identity. An ethical framework is proposed that avoids the inscription of universalist moral codes but rather constructs "an intensification of the relation to oneself by which one constitutes oneself as the subject of one's act" (Foucault, 1986, p. 41). The purpose of this use of the individually oriented master's tool is to suggest a critical framework through which self-absorption could be avoided, as the researcher conducts a continuous genealogy of the self along the axes of truth, power, and ethics (Foucault, 1985; Rabinow, 1994). Our focus in this discussion is on the ethical axis through which the self acts on itself, although the self's construction of both truth and power are not unrelated. Four components are included within the ethical axis of self: (1) ethical substance, (2) mode of subjectification, (3) ethical

work, and (4) *telos* or disassembly of oneself. These components can be pondered from an individualistic, rationalist perspective that also attempts to incorporate critical pedagogies and post-colonial critique.

Ethical substance is the way in which the researcher legitimizes self morally. This substance is not a given but is constituted as relational to the self as a creative agent. To some extent, we can describe ethical substance as that which is important to the researcher, as that which facilitates or disallows self-deception and is the grounding for ethics. The ethical substance is "that which enables one to get free from oneself" (Foucault, 1985, p. 9), and it varies for everyone. As examples, the unification of pleasure and desire served as the ethical substance for many in ancient Greece; for some, collective existence and communal decision making is ethical substance (Rutche & Rau, 2010); for some, addressing equity and social justice in solidarity with those who have most likely been oppressed may be the ethical substance. Foucault (1985) suggests genealogical questions to determine the substance of the self that we believe can be applied to the researcher, focusing on circumstances in which research is constituted as a moral activity—whether circumstances related to research or circumstances under which the researcher defines his or her scholarship as a moral or ethical act.

We propose (and we are not the first) that the belief in critical social science that would address oppression and construct alliances and solidarity with those who have traditionally been excluded constitutes ethical substance. Recognizing that governmentality and technologies of the self are more often subconscious (but acknowledging conscious possibilities), we would further suggest that those who choose such critical mentalities join in the broader reconceptualizations that are literally creating a new ethical substance for research. An example of this is the work of critical pedagogues. In describing the "ever-evolving conceptual matrix" of criticality, Joe Kincheloe (2007, p. 21) provides us with content for both ethical substance and the further creation of domains of critical social science that can be the content of ethical substance. These critical domains can even construct the foundations for research. They include:

1. Analysis of the dynamics of competing power interests
2. Exposure of forces that inhibit the ability of individuals and groups to determine the direction of their own lives
3. Research into the intersection of various forms of domination
4. Analysis of contemporary forms of technical rationality and the impact on diverse forms of knowledge and ways of being
5. Examination of forms of self-governmentality, always recognizing the sociopolitical and sociotheoretical context

6. Inquiry into what "could be" into ways of constructing a critical immanence that moves toward new, more equitable relationships between diverse peoples (yet always avoids utopian, humanist/rationalist lines)
7. Exploration of the continually emerging, complex exercise of power, as hegemonic, ideological, or discursive
8. Examination of the role of culture in the contested production and transmission of knowledge(s)
9. Studies of interpretation, perception, and diverse vantage points from which meaning is constructed
10. Analysis of the role of cultural pedagogy as education, as producing hegemonic forms of interpretation

As ethical substance, this critical content can lead to specific inquiry like historical problematizations (of the present) that refuse to either blame or endorse; examinations of policy discourses, networks, or resources; or research that exposes power while refusing to co-opt the knowledge(s), skills, and resources of the other.

The *mode of subjectification* is probably the ethical component most illustrative of governmentality. The notion that the individual submits the self to particular rules and obligations is indicated; the rules are constructed and accepted dependent on the ethical substance. For example, Immanuel Kant (whose ethical substance focused on intention as embedded within reason) valued the obligation to know and the use of reason as the method of self-governance (Foucault, 1985). Critical social scientists may construct an ethical obligation (and resultant related rules) to a critical, historical disposition that is flexible and responds to issues of oppression. As Giesne (2007) implies, this critical mode of subjectification would most likely reject the sense of entitlement that would "know" others and would first recognize the alienation created when one is placed under the observational gaze of the researcher. A criticalist's ethical rules might be more likely to accept communal decision making rather than rationalist forms of negotiation.

From within the ethical axis, researchers can ask questions of themselves related to the rules that are constructed within particular constructions of ethical substance and used to determine the existence of moral activity. "How are these rules acted upon in research activities to conceptualize/legitimate and implement moral obligations" (e.g., for an individual researcher in choice of study, in choice of population, in collaborations with others, as I educate other researchers) (Cannella & Lincoln, 2007, p. 325)?

*Ethical work* is the method used to transform self into the form that one defines as ethical. Foucault (1994) proposes that this work requires a self-criticism that historically examines the constitution of the self. The work is expected to reveal the conditions under which one questions the self, invents new ways of

forming relationships, and constructs new ways of being. This form of self-governance involves examination of the ways one can change oneself (as person and/or as researcher). An evolving critical pedagogy can be used to illustrate the ethics of an ontological transformation that goes beyond Western constructions of the self. Kincheloe (2007) illustrates the central critical features that can be related to ethical identity development. These features include constructs like sociocultural imagination, challenges to the boundaries of abstract individualism, sociocultural analysis of power, alternatives to the alienation of the individual, mobilizing desire, and critical consciousness that acknowledges self-production. To illustrate, sociocultural imagination is the ability to conceptualize new forms of collaboration, rethinking subjectivities and acknowledging that the professional and personal are critical social projects; institutions like education are thus constructed as emphasizing social justice and democratic community as the facilitator of human development. Another example, mobilizing desire, is constructed as a radical democratization, joining continued efforts of the excluded to gain access and input into civic life.

Finally, *telos* is the willingness to disassemble self to deconstruct one's world (and one's research practices if a researcher) in ways that demonstrate commitment to an ethical practice that would avoid the construction of power over any individual or group of others (even unpredictable, yet to be determined others located in the future). *Telos* is a form of self-enclosure, slowly elaborating and establishing a self that is committed to think differently that welcomes the unknown and can function flexibly (Foucault, 1994). As critical pedagogy again suggests, alternatives to alienation of the individual are created, forms of domination that construction isolation are rejected, and unthought-of ways to be with and for others are constructed (Kincheloe, 2007). Furthermore, *telos* can construct new pathways through which individual researchers, as well as groups of scholars, can consider notions like an ethics without subjects that combines critical and postcolonial perspectives that are committed to the future and to avoiding the continued colonialist construction of the Other (Alessandri, 2009).

Although certainly consistent with modernist approaches to individual rationality, the examination of an individual ethical axis demonstrates the ways that even the master's tools can be used for critique and transformation.

Currently, researchers must both engage in their own individual ethical decisions regarding research and function within institutional forms of regulation. From a range of critical locations, we are continuously reminded that different disciplinary strategies are enacted by institutions dependent on the historical moment and context (Foucault, 1977). Certainly, individual, critically ethical selves (in our modernist academic community, which privileges the scientific individual) will be more prepared to engage with the conflicting ethical messages within

Chapter 5 Ethics, Research Regulations, and Critical Social Science 87

institutions, whether academic expectations or legislated regulation, to take hold of our own existence as researchers, to transform academic spaces, and to redefine discourses (Lezin & Guardia, 2007).

#### TRANSPORING REGULATIONS: REDEFINING THE TECHNOLOGIES THAT GOVERN US

Qualitative and critical qualitative researchers have continued to "take hold" of their academic spaces as they have dashed with legislated research regulation (especially, for example, as practiced by particular institutional review boards in the United States). This conflict has been much discussed and will not end any time soon. This work has demonstrated not only that legislated attempts to regulate research ethics are an illusion, but that regulation is culturally grounded and can even lead to ways of functioning that are damaging to research participants and collaborators. As examples, Marzano (2007) demonstrates the ways that following Anglo-Saxon ethical research regulation in an Italian setting with medical patients involved in qualitative research can be detrimental to the participant patients. Susan Tilley and Louise Gormley (2007) illustrate the ways that the construction of confidentiality represents challenges to understandings of individual integrity in a Mexican setting. Furthermore, a range of scholarship demonstrates that research ethics is particularly fraught, must be infused throughout the process, and requires a continued dialogue with self (Christians, 2007; Clark & Sharf, 2007). Legislated forms of governmentality can certainly not address these particulars.

If researchers accompany communities, rather than "test/judge" them, perhaps community members will want to know/judge them, perhaps community members will want to address review boards and legislators themselves concerning collaborative practices. In describing the Milkway Ethics Watch, Marie Barthele and James (Sally) Youngblood Henderson (2000), Barthele, 2008) demonstrate just such a practice, as Milkway people have constructed research guidelines in which research is always to be an equal partnership in which the Milkway people are the guardians and interpreters of their intellectual and cultural property and review research conclusions for accuracy and sensitivity.

Aligned with the ethics of the traditionally marginalized, which could ultimately reconceptualize the questions and practices of research, a critical social science would no longer accept the notion that one group of people can "know" and define (or even represent) "others." This perspective would certainly change the research purposes and designs that are submitted for human subjects review, perhaps even eliminating the need for "human subjects" in many cases. This change could result in research questions and forms of data collection that do not require researchers to interpret the meaning making or constructions of

participants. Rather, research questions could address the inter-sections of power across systems, institutions, and societal practices. As examples, assumptions underlying the conceptualizations of public policy, dominant knowledges, and dominant ideologies (in particular areas), actions that would protect and celebrate diverse knowledges, and analyses of forms of representation privileged by those in power, can all become research purposes without constructing human subjects as objects of data collection. If societal structures, institutions, and oppres-sions become the subjects of our research (rather than human beings), perhaps we can avoid further creation and subjectifica-tion of an or the Other. Deniz (2009) even suggests that we "banish the dirty word called 'research'" and take up a "critical, interpretive approach to the world" (p. 298), a practice that could benefit us all and would require major forms of activism within our academic settings.

This section on the legislated regulation of research is notice-ably and purposefully brief. We would suggest that, first, critical qualitative researchers make all efforts to move to the center the reconceptualized, broad-based critical social science that addresses institutionalized, policy-based intersecting forms of power. This critical social science can even include studies of regulation from an ethics-without-subjects perspective. And, it would undoubtedly include alliances with countercolonial posi-tions, as well as critical historical recognitions of context and ethical examinations of the researcher self. Until this critical social science is accepted as an important form of practice (per-haps even vital enough to be threatening to the mainstream), modernist research regulation will most likely change very little. We will simply (although it is not at all simple, or any less impor-tant) continue our attempts to educate those who have not learned about qualitative research as a field or the methods associated with it. However, if a critical social science aligns with the oppressed, denouncing solidarity with the traditionally marginalized and constructing research that addresses power, our constructions of and concerns about legislated research regulations will be of a different nature. Perhaps our critical research ethics can anticipate and facilitate that change.

NOTE

1. Recognizing that we could be accused of assuming that post-positivist science has no ethical bases, we must absolutely acknowledge that we understand that researchers from a range of philosophical perspectives believe that their research questions and practices are grounded in the ethical attempt to improve life for everyone, and fol-lowing an enlightenment, rational science orientation, we would agree. However, very often, these positivistic forms of imagination and sci-entific intentions do not acknowledge embeddedness within the Euro-American "error" (James, 1992). This error is the unquestioned belief in modernist, progressive (both US liberal and conservative) views of the world that would "unveil" universalist interpretations of all human

experience; it assumes the omnipotent ability (and right) to "know" and interpret "others." Unfortunately, those ethical good intentions have most often denied the multiple knowledges, logics, and ways of being in the world that have characterized a large number of human beings. Furthermore, focusing on the individual and the discovery of theories and universals has masked social, institutional, and structural prac-tices that perpetuate injustices. Finally, an ethics that would help others "be like us" has created power for "us." This ethics of good intentions has tended to support power for those who control the research and the furthering of oppressive conditions for the subjects of that research.

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