

Chapter 3

Ethics in Research

ICJ 310: FOUNDATIONS OF SCHOLARSHIP IN
INTERNATIONAL CRIMINAL JUSTICE
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Historical Background

Infamous unethical research experiments

Milgram's obedience experiments

Nuremberg war crime trials

Tuskegee syphilis study

Milgram's Experiment

What inspired the study and an illustrated example, link:

<https://www.khanacademy.org/test-prep/mcat/behavior/social-psychology/v/events-that-inspired-the-milgram-studies-on-obedience>

Obedience, 1968:

<https://m.youtube.com/watch?v=mOUEC5YXV8U>

Nuremberg Trials

In Nuremberg, Germany post World War II, Nazi Germany leaders were charged with what?

Medical Experiments:

- *Racial experiments*
- *Pharmaceutical experiments*
- *War-Injury experiments*

Tuskegee Syphilis Study

In the 1930's, the US government conducted a study on 399 low-income African American men who were diagnosed with syphilis to find out what?

The men were not informed that they had syphilis and were denied treatment until 1972!

This led the US to create the **National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.**

Belmont Report

In 1979, the Commission issued a report that established three basic ethical principles for the protection of human subjects:

1. **Respect for persons**: treat people as autonomous and protect other with less autonomy;
2. **Beneficence**: minimize potential harm & maximize benefits; and
3. **Justice**: distributing benefits and risks of research fairly.

In 1991, HHS and the FDA created regulations based on the above - known as the **Federal Policy for the Protection of Human Subjects**.

Federal Regulations

Federal regulations require that every institution that seeks federal funding for biomedical or bahaviorial research on human subjects have an **Institutional Review Board (IRB)**.

- *IRB's review research proposals to be sure they follow ethical standards. **Example: Graduate Capstone in IC&J.***
- *IRB's must include members with diverse backgrounds.*
- *Even if you go abroad to conduct research, you must seek approval.*

Ethical Principles

Protecting Research Subjects

1. Avoid harming research participants.
2. Obtain informed consent.
3. Avoid deception in research, except in limited circumstances.
4. Maintain privacy and confidentiality.

Ethical Principles

Avoid Harming Research Participants

- *Debriefing can help mitigate harm.*
- *Studies that resulted in mental harm.*
- *Withholding beneficial treatment can also cause harm.*

Ethical Principles

Obtain Informed Consent

Consent must be given by persons who . . .

- Are competent to consent (i.e.: consent forms)
- Have consented voluntarily
- Are fully informed about the research
- Have comprehended what they have been told
- Some participants cannot truly give informed consent.

If an experiment requires deception, debrief later.

Ethical Principles

Avoid Deception in Research, Except in Limited Circumstances

- Deception occurs when subjects are misled about research procedures.
- *Example: PSY 101 Study.*
- New federal regulations relax concerns about some deception

Ethical Principles

Maintain Privacy and Confidentiality

- Participants should be informed during consent (form).
- *Example: How will you protect your data?*
- Confidentiality
- Certificate of Confidentiality

Ethical Principles

Maintaining Honesty and Openness

- *Scientists must be open in disclosing their methods.*
- *Include detailed methodology section*
- *Acknowledge bias or political motives*
- *Act of publication is vital for openness*

Achieving Valid Results

The goal of validity justifies investigations and claims to use of human subjects.

Encouraging Appropriate Application

Scientists must consider the uses to which their research is put.

Conclusion

Research ethics should be based on realistic assessment of potential for harm and benefit to subjects.

Institutional review boards, and professional codes and guidelines help.