

ACCOUNTING FOR ETHICS: TOWARDS A DE-HUMANISED COMPARATIVE APPROACH

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Abstract

In rejecting the ultimate authority of proceduralised ethics and instead emphasising the ongoing complexity of ethical manoeuvring, writing on ethics-as-process often presents the individual researcher as the authentic locus of ethical practice. This article seeks to distance from such humanist tendencies. It aims to shift attention away from the experience of the ethical researcher to consider, rather, the fixing of ethical stances in accounts of activity. Arguing for a comparative approach to the empirical, accounts of two different activities are examined: online research and online media consumption. A framework for describing the anchoring of ethical positions across these texts is introduced, one that challenges the achievement of ethical ‘security’ in research. It is argued that claims that the researcher is an authentic point of access to an ethical truth must give way to a consideration of the modes by which ethical claims are made.

Keywords

Research Ethics, Ethical Stance, Ethical Anchoring Modes, Ethics as Process, Filesharing, Online Research.

Introduction

Responding to calls for ‘concrete and grounded contributions to ethical debates’ (Beaulieu and Estalella, 2012), this article develops an empirically informed reflection upon the nature of ethical manoeuvring in research. In contrast to the more common consideration of the process of ethical decision-making and doing of “practical judgement” (Hammersley, 2015) in research, my focus is on how decisions and actions are discursively accounted for (necessarily so in the context of the academy) in the face of ethical uncertainty. The concern is therefore with *accounts* rather than *actions*. The article suggests that interrogating such accounts might serve as a way of reorienting the consideration of ethical practice in both online and offline environments. It is my argument that doing so is necessary to counter some humanistic certainties that can be seen to have stepped into the breach opened by the otherwise welcome rejection of proceduralised (bureaucratic) research ethics. If we accept that conformity to pre-established rules cannot constitute the master point of authority in respect of scholarly ethical concerns, then a new ordering is required.

Responses to the bureaucratisation of social research ethics have criticised the way that the autonomy and expertise of individual researchers becomes subsumed within the regulatory gaze of procedural ethics. Qualitative researchers have emphasised the meshing of methodological and ethical concerns, the intermingling of research relationships, and the contingent and processual nature of ethics in practice (Guillemin and Gillam, 2004; Canella and Lincoln, 2007; Markham, 2006; Baarts, 2009; McKee and Porter, 2009; Markham and Buchanan, 2012; Beaulieu and

Estalella, 2012; Pollock, 2012; Roberts, 2015). Such work positions researchers as navigating a complexity of ethical challenges rather than adhering to, or applying, codified principles or frameworks, in a way that sets ethics as an experienced ‘process’ in contrast to more static formations of ethics as ‘procedure’ (Roberts, 2015; Pollock, 2012; Guillemin and Gillam, 2004) and ‘substance’ (Frank, 2004). This has revealed the apparent rigidity of proceduralised ethics, but also emphasised the complexity and messiness of the task of ‘being ethical’ in research.

As I will discuss, within accounts of both online and offline research, one common feature of the marking out of this ongoing, embodied complexity has been a concurrent focus on the reflexivity of the individual as the authentic locus of ethical practice. Whilst holding onto the contextual nature of ethical manoeuvring in the doing of research, this paper seeks to initiate a distancing from the faith in the ethical individual that is evident in some writing.

The approach to the study of ethics developed in this paper has two distinctive characteristics. Firstly, by *looking at* the anchoring points that are recruited in accounts of online activity, the article presents an initial framework for thinking about the fixing of ethical stances in research. This fixing is understood to be a pragmatic activity in the face of ethical uncertainty rather than the expression of any felt or embodied truth. In exploring these accounts, I make an analytical incision into the concept of an ‘ethical stance,’ splitting this into two distinct points of analytical interest: a) the synchronising assertions that a given action is or is not ethical and b) the textual patterning of legitimising elements by which these claims to ethicality are supported. Whilst the focus of reflection in writing on ethics is often on the former –

asserting what are the right or best decisions or actions in respect of a given problem – the article considers the value of exploring the shaping of the latter for informing ethical reflection.

The article's second contribution is to explore the productivity of *looking across* sites of activity as a distancing strategy in the consideration of ethical issues. It has been argued that bringing together '[...] phenomena that might conventionally have appeared to be "worlds apart"' provides a way of deterritorialising culture and stimulating theoretical conceptualisations' (Marcus, 1998: 187). My suggestion is that, to date, those interested in research ethics have not taken advantage of the productivity of such comparison for stimulating methodological reflection. More specifically, I argue that there is value in empirical engagements with the ways that individuals negotiate ethical issues across both academic and non-academic contexts. This is not least because looking across may serve to create distance from the entrenched securities of fields of practice and, in so doing, unsettle the reifying of particular identities or practices.

In the second half of the article I therefore juxtapose texts relating to two activities – published accounts of the use of unannounced observation in online research and interview data relating to online media consumption. This juxtaposition reflects the origins of this article in my move from studying the ethics of Internet researchers (Author) to the study of the ethics of media audiences (Author), and my growing interest in the dis/continuities between the ethical positions articulated in respect of these distinct activities. Before turning to these I begin by considering two tendencies within the literature that this article seeks to move beyond.

De-Humanising Ethics

The idea of ethics as ‘process’ emphasises the way that ‘methodological decisions are entwined with ethical assumptions’ throughout research (Beaulieu and Estalella, 2012: 24). This presents an ongoing challenge: ethics in research becomes understood as embedded, lived and open-ended; ‘embedded in the totality of scholarly practice’ (Baarts, 2009: 423). Whilst accounts of research vividly demonstrate that ethical issues may arise at any point, including post-publication (Author) and scholars have marked out ethical considerations relating to different stages of (in this case, e-science) research (Wyatt, 2012), some have challenged this way of thinking. Here the idea that ‘the research process is shot through with decisions that carry major ethical implications’ has been tied to a contemporary excess of ‘moralism’ in academic research (see Hammersley and Traianou, 2011).

Yet as the influence of this way of thinking about ethics strengthens its grip, the figure of the individual researcher is cast as being both at sea in a choppy ethical/methodological ocean *and* as the core point of stability in this maelstrom. Baarts (2009) for example, argues that within the complexity of political and ethical issues in research: ‘[...] ethical practice is closely linked to the moral life of the particular researcher.’ (425). What is needed in this context is to identify those qualities that the researcher must embody to meet their ethical responsibilities. The individual is situated as the locus of ethical practice and qualities such as ‘discernment’, ‘imagination’, ‘partiality’ and ‘personal authenticity’ are presented as those that ‘enable the researcher to navigate between politics and science.’ (433)

This involves a welcome shift from a passive to active register in the formulation of ethical action ('research ethics is no longer a matter of internalizing professional codes of conduct' (Baarts, 2009: 423)) but also an individualising focus: 'the depth of ethical being cannot be encapsulated solely in the control exercised by such codes' (425). In their earlier consideration of the relationship between reflexivity and ethics, Guillemin and Gillam similarly focus on the individual, arguing that it is '[...] the reflexive researcher [who] will be better placed to be aware of ethically important moments as they arise and will have a basis for responding in a way that is likely to be ethically appropriate, even with unforeseen situations.' (2004: 277).

In writing on qualitative online research, the complexity of issues faced by scholars has similarly placed attention onto the figure of the individual researcher. If anything, here the complexity of ethical manoeuvring appears intensified, as suggested by the eleven questions and fifty-two considerations that might be relevant to internet researchers set out by the AOIR's most recent ethical recommendations (Markham and Buchanan, 2012). Whilst the field of internet research ethics is now well established, the 'rights' and 'wrongs' of online research remain contested, with scholars presenting competing perspectives on issues such as the need for informed consent (Kozinets, 2010; Author) and how the protection of privacy might be achieved (Markham, 2012).

Markham's (2006) formulation of the 'lens' of 'Ethics as Method' represents one distinctive response to the ethical challenges of online research. This extends an ethics-as-process approach, drawing attention to the idea that "Habitual decision

making, morality, and interpretation are inextricably linked.” (43). Markham’s suggestion is that it is the researcher’s responsibility to assert a distancing break from ‘common sense’ decisions that might otherwise leave the basis of ethical practice unsaid. Doing this is presented as involving individual acts of ongoing reflection and an ongoing process of mining the self to identify the root of our inclinations to act in certain ways:

Ethical methods of research require getting to the heart of the matter, in both senses of the phrase. Unravelling the intricate tapestry of method and ethic in research design and process is not as difficult as it may sound. Although it takes practice and constant, critical self-analysis it simply involves partitioning what appears to be a smooth flow of one’s choices and involvements during the entire research project. Critical junctures and decision points become opportunities to reveal where one is standing and what one’s intentions are in choosing from a range of possibilities. (39)

Here ethics is individualised as well as localised, moving out towards the identification of moral principles and frameworks that are revealed through the researcher’s reflection upon their own responses to ethical/methodological issues. A key point of reference in this work is the core of the individual researcher:

[...] an ethical researcher is a reflexive researcher who works from the centre, the heart. This entails being knowledgeable and prepared being present and aware; adaptive and context sensitive, and honest or mindful. Returning to the

axiom of ‘method first, ethics follows,’ one notes that all of this is centred in action that is grounded in reflexivity. (44)

Whilst the formulation of ethics as a concern that unfolds in engagement with the matter at hand is valuable, the idea of a heart that – in the rejection of proceduralised ethics as ultimate authority – provides access to the truth of where we stand and potentially the right (ethical) way is more problematic. A new source of authority appears elevated – the self/heart – one that emphasises interiority as the authentic site of ethics in contrast to the external pressures of “Ethics as governed practice” (41). The individualising involved in this thinking can also be seen to have limitations in terms of the production of pedagogic resources for framing our consideration of ethics. The resulting pressure on the experience of the individual is a problem not just because it may reify aspects of the human as locus of ethical reflection but also because it focuses at the individual level. If the aim is to develop more general analytic resources that might draw attention to things that the individual has not brought to mind, then there is a need to aim for something more institutionalised and collectively supportive through which reflections on the messy nature of practice might be considered.

My suggestion is therefore that – within a context that increasingly appears influenced by recourse to ethical humanism – we might explore alternative approaches to ethics. Specifically, as discussed below, that there is value in attending to the textual realisation of ethical stances in accounts of practice. The move is away from the idea of authenticity as guarantee of the reflexive subject to one that recognises the researcher’s individual ignorance. For as soon as we have faith that we have the key

to what is good or bad, the necessary struggle involved in the negotiation of ethical issues is denied.

De-Territorialising Ethics

In developing an alternative approach to ethics, my second concern relates to the way that the consideration of research ethics tends to be held apart from the exploration of how quotidian ethical concerns are negotiated within lay practices. Whilst scholars have examined the workings of ethical review procedures in academia (van den Hoonard, 2011), such studies have been kept apart from work on ‘everyday’ and ‘ordinary’ ethics (Brodwin, 2013; Lambek, 2010) that has challenged the privileging of rational discourses in traditional academic thinking about ethics (Shaw, 2010). To date, there has been limited dialogue between these fields of scholarship. Where scholars *have* presented an interest in the relationship between academic/non-academic domains of ethical action, notions from one field have dominated the analysis of the other: how ordinary discourses inform specialised practices (Lambek, 2010), for instance, or how philosophically informed conceptualisations of ethics can be revealed within lay accounts (Shaw, 2010).

This segregation of scholarly attention is part of a broader territorialising of ethical guidance, one that tends to emphasise the nature of the activity about which ethical issues relate (as seen in the targeting of disciplines and professions in ‘*The Ethics of X and Y*’ texts (Garber, Hanssen and Walkowitz, 2000: viii). In considerations of online research, it is evident in the development of academic frames and guidance that focus on the specific challenges, issues and features of online environments and activity

(Ess, 2002; McKee and Porter 2009; Knobel 2010; Markham and Buchanan, 2012; James and Busher 2015). There is, of course, great value in developing tailored ethical guidance, and risks in failing to do so. Beaulieu and Estalella (2012), for instance, argue how, in the context of online research “a seeming ethical gap threatens to be filled by some of the more instrumental approaches to research ethics [...]” (25) that may ignore the distinctive qualities of digital environments. This makes consideration of “[...] the conditions that are particular to e-research all the more pressing.” (ibid). Yet without comparative framing there is a danger that the uniqueness of specific activities or settings might be exaggerated or go unrecognised and the distinctive features of different practices may be reified (Lederman, 2013). In respect of thinking about research ethics, we may also fail to exploit the potential benefits of cross-fertilization in moving towards a reflexive understanding of the situated formation of ethical positions in *any* practice.

In its consideration of the formation of ethical stances that follows, this article therefore seeks to escape the corralling described above by examining the discursive construction of ethical stances across two fields of activity: online research and digital media consumption. My consideration of the former is based on extracts from two academic articles in which authors address the ethics of their research. My focus in respect of the latter is on two interviews in which individuals justify their participation/non-participation in the illegal downloading of copyrighted media content.

Ethical Stances

As I have suggested, in looking at accounts of online research and media consumption my intention is not to identify certain stances as morally right or wrong. Instead my primary concern is in examining the attachments that emerge in accounts of these activities. The approach I am taking understands ethical stances as discursive accomplishments that are produced through affiliating and distancing moves to anchoring resources that – in the particular shaping that they take – assert/deny the authority and legitimacy of other possible positions. These moves can be regarded as hegemonic and as constitutive of subjectivity because the way in which ethical positions are fixed (decisions made, and justifications given), are always-already antagonistic to alternative positions.

This way of thinking about ethics is informed by some key influences. These include the emphasis on the emergent production of attachments in Social Activity Method (Dowling, 2009, 2013): an approach to sociological analysis that interprets all activity “as strategic in respect of the formation, maintenance and destabilising of alliances and oppositions” (278). Lacanian approaches to the fixing of meaning within language, particularly the concept of the quilting point, or ‘point de capiton’ (Lacan 1993/2002, 264), and the politicisation of these struggles over the fixing of such points in the discourse theory of Laclau and Mouffe (1985), have sensitised my interest in the way that ethical positions are established around key anchoring points, but also the way that such fixing can be understood as a site of struggle and as ‘relative and precarious’ (Laclau and Mouffe, 1985: 112). A further theoretical inspiration is the work of sociologists Becker (2014) and particularly Kitsuse (Spector and Kitsuse, 1987) who have drawn attention away from debates regarding the status or worth of actions to focus instead on the ‘definitional process’ (ibid) by which (in

this case social rather than ethical) problems are put together. Similarly, my own concern is *not* with the inherent rights and wrongs of actions or how ethical worth might be discovered, but how statements constituting this worth are composed.

I have noted here that ethical stances are constituted within discourse and are never complete. This is an important point. Literature on ethical ‘arguments’ reminds us that the moralising that people do in language may not extend any further than the local formation of positions within specific interactions or accounts (see Zigon, 2008, 136). Such reminders are salient because they serve as notice that the discursive construction of an ethical stance is specific to the context in which it is realised, and should not be presumed to reach beyond this. There is always a danger in looking at individualised accounts of ethics that we might slip into essentialising such positioning as defining speaking subjects or absolutized moments of worth. However, in placing attention onto the discursive achievement of ethics, it is possible to undermine such thinking. In doing so, the emphasis is on antagonism over essence, and the analytical focus is on the legitimising moves that support claims to ethicality.

By claims to ethicality I refer to the ontologising and synchronising assertion that a specific action etc ‘is’ or ‘is not’ ethical. This involves the temporary closing down of ethical uncertainty. In denying alternative positions, making a claim to the ethicality of a given action can be seen to resonate with the concept of discourse in Laclau and Mouffe’s terms; representing a ‘reduction of possibilities’ that excludes other meanings that could have been established (Jørgensen and Phillips, 2002: 27). My interest in legitimising moves, in contrast, refers to the patterning of anchoring resources upon which such claims rests - elements that may contradict each other.

The shift of gaze onto legitimising moves provides a way of focusing attention on the emergent formation of ethical subjectivity within accounts of practice. This is my focus in the analysis presented below. Before turning to these accounts, I begin by briefly considering the ethical terrains of these two activities.

The Ethics of Online Research and Media Consumption

Those who engage in the activities of online research and media consumption encounter different ethical forces. Researchers and audiences face differing levels of scrutiny of their actions, and differences in the extent to which their responsibilities to other parties are explicitly stated. Researchers have a ‘collegiate’ (Dowling and Brown, 2010) responsibility to act ‘ethically’ and are accountable to varied parties in doing so. In contrast, audiences are not expected to explain/justify the ethics of their behaviour (as Lederman (2013) describes, ethical specialisation involves a need for outcomes), although as citizens they bear legal responsibilities. The comparison of online research and media consumption therefore involves a consideration of the achievement of ethical stances in contexts that are framed more/less strongly by institutionalised codes of ethics and by the professional need to establish the legitimacy of specific actions.

Yet there are also similarities between these activities, not least those relating to the ethical destabilisation provoked by new technologies. The global development of copyright infringing practices on the Internet has challenged ‘black and white’ understandings of authorship, property and consumption (Sinnreich, Latonero and

Gluck, 2009), provoking competing rhetoric regarding what constitutes ‘ethical’ behaviour (Yar, 2008). Perhaps unsurprisingly, users have exhibited confusion in their understanding of the legality and legitimacy of such activities (Freestone and Mitchell, 2004). As I have suggested, there is a similar sense that new technologies have unsettled established frameworks relating to the ethics of research, forcing scholars into challenging sedimented preconceptions as they map out new territories. Both media research and consumption can also be seen to be situated within a context of ‘expanding tendencies of normalization and tighter government control.’ (Koro-Ljingberg et al, 2007: 1075). Cannella and Lincoln have suggested that these are ‘dangerous regulatory times’ for researchers (2007: 327). The same might be said for those involved in illegal filesharing (as lawsuits and legislative developments suggest).

Academic Accounts of Ethics

I begin by looking at extracts from two articles in which authors explain/defend the decision to generate data from online environments without the consent of participants. The first is from a study of the expression of ‘antifan’ sentiments on the (now—closed) forums of the television recap website Television Without Pity (TWoP) (Gray, 2005). In this article, Gray describes his decision to study this online environment without the knowledge of its members (‘posters’) in the following way:

Unlike many other studies by fan site researchers, I did not identify my presence to the posters, instead remaining an academic ‘lurker.’ Although lurking rightfully poses many questions of ethics (Jones, 1998), here I did not feel as

though I was intruding or violating any trust by doing so. As said, TWoP is a site of gargantuan size, with thousands of viewers passing through it [...] Posters are fully aware of the public, open nature of the forum; most use pseudonyms, meaning they are both aware of speaking potentially to thousands and already reasonably anonymous; and the performative nature of much TWoP commentary itself beliesⁱ an awareness of (or even a desire for) a considerable audience. In addition, as I soon learned, the large thoroughfare produced little sustained interaction by a close-knit group and, thus, renders itself unsuitable for dense textual-psychological examination; therefore, this study represents a broad overview of expressions of antifandom, not an intimate or incisive look at the individual posters and their elaborated thought processes. As does all audience research, I am studying the textualised output and versions of the TWoP posters, not the people themselves. (Gray, 2005: 847)

The second example comes from a study of a pro-anorexia website by Gavin, Rodham and Poyer (2008). Here, the authors explain their decision not to obtain consent from members of the site:

Data for this study consist of 3 days of postings to a popular pro-anorexia online discussion forum. Consistent with previous qualitative research studying online eating disorder discussion forums (Winzelberg, 1997), the present study used an unobtrusive, passive observation method. Forum users were not notified of the research, because data were collected retrospectively; consequently, informed consent was not obtained. However, maintaining user anonymity throughout the research ensured that the identity of forum users would not be threatened. The

unobtrusive approach to the research also protected the smooth running of the support forums. Announcing the researcher's presence would have disrupted the natural exchanges of postings that occur among forum users (King, 1994). This methodology has been questioned by some (e.g., Flicker, Haans, & Skinner, 2004; Robinson, 2001) but has proved highly successful in previous research (e.g., Adams et al., 2005) and provides psychologists and other health professionals with an insight that may otherwise be unattainable; this insight can contribute to the development of effective therapies and treatments (Laksmana, 2002). The project was granted ethics approval in accordance with the British Psychological Society's guidelines. (Gavin, Rodham and Poyer, 2008: 326)

Although the same decision has been made in each case, the affiliating moves in these two extracts are quite different. One notable difference relates to the ways that the authors position themselves in reference to the 'other' and how this serves to establish an us/them opposition.

Gray's account marks out a difference from the activities of his academic peers within the field of fan studies in adopting a 'lurking' position, but then justifies this via appeals to different points of reference that support the legitimacy of the author's position. Acknowledging that lurking is controversial, the actions taken are justified in relation to the nature of the researched setting (its size, participants' 'performative' awareness of a public audience,ⁱ and pseudonymous status of postings), and the ethics of Gray's peers within the academic community (aligning with the interests of audience researchers and the ethics of dealing with published texts, rather than human

subjects). Gray does not make reference to the institutional/regulative context in which his work is situated (such as the perspectives of ethics committees). Rather his standpoint is personalised, explicitly drawing on his own subjective values in relation to the judgement made ('I did not feel as though I was..') and emphasises his own first-hand experience (and hence apparent understanding) of the setting.

Gavin, Rodham and Poyer's account also asserts a difference from other scholars in the field (those who have criticised unannounced observation). However the position they establish is rooted more strongly in relation to the ethics of the research academy, adopting a more distanced relationship to the ethics of the researched settings. The stance is secured in relation to the ethics of their peers and the institutional context of research, as well as the professional fields that they might inform; referencing the conclusions of other scholars, guidelines of the *British Psychological Society*, and authority of institutional review. The account configures its authors as guardians of the object of their research, rather than opening-up the possibility for exchange with the research site, or demonstrating how the nature of the settings supports or informs their decision-making. By grouping their research setting with other sites that need to be protected from potential disruption, the authors establish a paternalistic position that is distanced from the research setting and doesn't consider the specific nature of interactions within this location (as Gray's account does to some extent in its references to the performative nature of postings within TWoP).

Both accounts, then, establish a stance that is articulated in relation to a range of referents. In Gray's account, the construction of a recognisable ethical identity is

fixed in relation to a proximity to the empirical focus of the research (the local research setting and activity within it) as well as the work of Gray's disciplinary peers. In Gavin, Rodham and Poyer's account, this sense of ethical subjectivity (of the co-authored researcher voice) is anchored in relation to the more distanced norms of the academic community and institutional authority.

Non-Academic Accounts of Ethics

I now turn to two interviews from my study of the ethics of media audiences. This involved face-to-face interviews with 15 adults (7 women, 8 men, aged 24-48). During these interviews participants were asked about their media consumption habits and were encouraged to reflect upon the decisions that underpinned these. In contrast to the concentrated statements on ethics examined in the previous section, ethical positioning ran through these interviews. In each interview there were also moments where discussion focused more explicitly on the participant's ethical 'perspective,' such as when I asked them to elaborate on a particular statement or action.

Unlike the academic accounts, where authors defended the same decision in different ways, I have selected two accounts that establish different positions in relation to practice: here the acceptability of online filesharing. My argument is that these contrasting positions can be seen to be constituted in relation to similar points of reference to each other, but also to those recruited by Gray and Gavin et al. Pseudonyms have been used below.

Emma

Emma, an experienced user of new technologies, described the illegal streaming of media content as part of her everyday life. The legitimacy of her actions was asserted in different ways throughout her interview and it is possible to identify appeals to various anchoring points in the interview data.

Firstly, a personal want: the desire to obtain media content in the quickest way possible. A hunger and sense of impatience at slow and expensive routes to content were recurring themes throughout the interview. Towards the beginning of the interview, for instance, Emma noted that being able to watch films online leads to:

[...] this expectation that if you want a movie tonight, you have it tonight. You don't have to go to movie theatre or a DVD shop and check whether they have it or not or just browse. [...] It's all about the immediacy, I want it now.

When probed on her growing confidence in using the Internet to obtain content, she described how:

It's made me, definitely made me more confident and happy. It's sort of a sense of freedom that whatever resource you want, it's there. [...] whatever you need, whatever solution you need, someone will have put it online and you can use it. And also it sort of makes you feel you're part of a bigger whole, you know, this community of people who...it's a happy feeling. Really.

The assertion that it is right to be able to get ‘whatever you want’ was a key point of reference in the interview. Emma made repeated references to the ‘convenience’ of obtaining content online, relating this to her own desire for satisfaction on her own terms. This was expressed through weakly defined terms (‘sense of freedom,’ ‘bigger whole,’ ‘it’s a happy feeling’). This desire – and stated belief in the legitimacy of her claim to content - was presented as overriding all other possible concerns.

Alongside references to her own needs, the account also positions Emma’s actions in relation to those of her peers. In parts of the interview - as the reference to feeling ‘part of the bigger whole, you know, this community of people’ suggests - Emma aligned with file-sharing communities, celebrating them as sources of content and information. She identified herself as part of a local hub of relationships, mentioning friends and family who support her filesharing activity. She also aligned with a broader community: explaining how contacts on *Facebook* shared information about what and how to watch. These appeals to others can be seen to serve to legitimise Emma’s activities in a different way to her appeals to her ‘wants’ as they establish broader patterns of activity as ‘normal.’

Yet this allegiance had its limits. A number of distancing moves saw the alliance that Emma establishes with her peers disintegrating at certain points in the interview. These moves were anchored in relation to Emma’s own self-interest (in obtaining content) and a stated confidence in the sustainability of file-sharing activity. At the beginning of the interview, she voiced concern that naming particular websites might negatively impact their owners/users:

Emma: If I tell you, are they going to be closed? I'm not going to tell you if they're going to be closed.

I: No, no, no. You don't have to tell me. So you have particular sites that you go to?

Emma: Yes.

I: And how did you find those sites?

Emma: Actually that's why I thought that even if they get closed I'll probably find something else, so I can tell you.

During the interview I interpreted the initial voicing of concern for the sites as signalling concern for the health/owners/users of these settings. However the subsequent about-face – confidently stating that it is ok to name the sites because they are replaceable – undermines this reading, suggesting an interpretation that reads the initial concern as relating to the potential threat to Emma's ability to obtain content, rather than as a concern for others.

Whilst references to a peer 'community' establish the normalcy and legitimacy of Emma's involvement in file-sharing, her voicing of an oppositional stance towards institutions (industry and regulators) establishes a sense of aggrieved righteousness. Here, an embodied sense of right is set in opposition to the rationalising and

objectifying gaze of these other institutions. Referencing news coverage of the UK Digital Economy Act, Emma's account characterised copyright holders as a threatening force that would label her a criminal ('they're going to come and sue you for copyright, you know, and you're like oh God'). In this way, an ethos of community (sharing, supportive, and bounteous) is set against that of industry/law, with a regulatory regime configured as aggressively threatening her way of life. Yet the account could also be seen to distance from this threat, asserting faith that alternative sources will enable the continuation of Emma's current habits ('Even if I'm banned from my Internet provider to use them, you know, I'll just find another Internet provider.').

A final point of reference emerged when Emma discussed media texts that provoked exceptions to her normal practice, including her wish to purchase films that held significant nostalgic value ('this movie *'Willow'* [...] I love it and I would really like to just have it [...]'). Such texts were presented as demanding a different consumption strategy – purchase, collection, and cinema attendance – no matter what the cost or inconvenience.

Tom

Tom was the only one of my participants to work in the media industry. Unlike Emma, he was critical of the illegal sharing and downloading of copyrighted material - an activity that he stated he has never participated in - and asserted very different allegiances in configuring file-sharing as a threat rather than something to be celebrated.

Tom made a number of appeals to different anchoring points throughout the interview. These relate to a stated personal belief in the value of media and respect for its production, but also faith in other people (audiences) as being essentially ethical. Tom made repeated references to the cost of things – both in discussion of file-sharing, which he described as ‘immoral,’ but also *Facebook* use ([...] I think there’s a younger generation than me who do not realise the cost of privacy. Nothing in life is for free’). He positioned himself as an enthusiastic media consumer, but in doing so, aligned himself with one type of audience and denigrated another. Talking about the place of television in the context of new technologies, he noted:

I think the public have an appetite for brilliant comedy, brilliant drama and really well made live entertainment or sport. I think those things do stop people faffing around with these [illegal sources of content].

Yet he also asserted distance from those who obtain content in illegal ways, referring to downloaders as ‘pirates,’ a term which, despite its negative connotations, is also attached in his account to a grudging sense of respect ([...] pirates are really, really clever; and some people, if you can get something for free, you will get it for free.’). Tom distanced himself from these individuals:

I: So if your sons were downloading films or television programmes from file sharing...

Tom: Yeah, I’d be really pissed off I think.

Whilst criticising filesharers, Tom aligned himself with his professional peers, establishing links with creative artists through references to freelancers, companies, actors and producers. These others within the industry were presented as colleagues, rather than as distant individuals. The interview also demonstrates distancing moves from these peers. Certain values and rights are attributed not only to media producers, but also to the products themselves (including films and television series). Here, for instance, Tom explained why file-sharing is ‘immoral’:

I think copyright...well I think theft is theft and I think stealing is stealing and I also buy the view that rights holders or the creators of material have a right to be rewarded for their work and I know there are very rich musicians [...] but a lot of musicians and songwriters aren't well off. I'm not defending really rich pop stars, sort of music industry executives, living the life of Riley but I do broadly think that theft is theft.

In this extract, Tom's stance is supported by expressions of allegiance to institutional interests, with a central point of reference again being the monetary aspect of the media industry ('theft is theft,' 'stealing is stealing,' 'very rich,' 'really rich,' 'the money's got to go back in,' echoing earlier references to things in life 'not being for free'). Yet Tom's recognition of those 'living the life of Riley' suggests a glimmer of a less stable perspective in respect of his professional allegiances. In a similar way, he also distanced from institutions that excessively promote their commercial interests at the expense of young audiences ('I think there is a slight sense of some companies asking people to buy the same product on third, fourth or fifth different format').

Like Emma, Tom posits some media texts as deserving of special attention (there are ‘things you *have* to go and see [at the cinema]’). He suggested that a certain type of ‘quality’ film requires special attention and investment (‘David Hockney said *Toy Story 1* is a work of art [...] something like that and he’s correct’).

Conclusion: Towards a De-Humanised Approach to Ethics

My reading of Emma and Tom’s accounts has marked out the patterning of identifications by which a sense of ethical security was achieved in these interviews. Like the academic ethical stances examined in the previous section, the positions established can be seen to be established in relation to different anchoring resources. My suggestion is that there are continuities in the way this is achieved between the academic and non-academic accounts I have introduced; but that we might also consider the play of oppositions in the accounts examined to generate a framework for thinking about the fixing of ethical stances.

In the process of giving definition to their activity, Emma’s actions are authorised in relation to the need to find happiness for herself, Tom’s to the prosperity of the music industry of which he is a part. We can think of these moves in the terms of an analytic dimension of *authorisation*, with authority located either in the *self* or *other*. This opposition also speaks to the anchoring evident in the academic accounts: in Gray’s writing the authors’ own personal opinion on whether he was ‘intruding’ on, or ‘violating’ his research setting is an example of self-authorising; one that can be

contrasted with his references to the authority of other (researchers). Opposed to this Gavin et al.’s account is anchored in the ethical authority of (other) scholars.

A second dimension that is of interest in relation to this empirical data relates to the extent to which ethical truth is configured as *closed* or *open*. In both Emma and Tom’s accounts ethical uncertainty is, for the most part, closed down. An action is authorised as right for Emma because it grants happiness. For Tom, in full identification with the law of copyright, file-sharing ‘pirates’ should be prosecuted. It is perhaps, if not surprising, certainly dispiriting, that, in establishing the legitimacy of their actions in ethical terms, the academic accounts also serve to restrict the sense of ethical openness.

Authorisation		
Ethical Modality	Self	Other
Closing	<i>self-evidence</i>	<i>symbolic</i> <i>self-evidence</i>
Opening	<i>self-reflection</i>	<i>institutionalised</i> <i>interrogation</i>

Figure 1 Anchoring Ethical Modes

Informed by an analytical approach inaugurated by Dowling (1998, 2009, 2013) these two dimensions can be set together to mark out four strategies by which the ethicality of a given action might be secured (Figure 1). This provides a both a vocabulary and grammar for thinking about the shifts between different strategic modes that are visible in individual accounts. As I have suggested, at brief moments, both Emma and Tom shift in their stance. Emma notes: “And also it sort of makes you feel you’re part of a bigger whole, you know, this community of people who...it’s a happy feeling”; a change of strategy moving from *self-evidence* to *symbolic self-evidence*. And at one point the music industry for Tom ceases to be a pure good as it enables some to “live the life of Riley” shifting from *symbolic self-evidence* to *self-reflection*.

I described earlier how one of the limitations of the reification of individualised responses to the ethical challenges of research relates to the inability of individual accounts to serve as analytical resources that might grip across settings: the generalising moves then tending to focus on the generation of recommendations, questions and issues to be considered within the highly localised negotiation of ethical issues. Whilst these have value in sensitising researchers to issues in the field, in contrast, Figure 1 provides a framework that enables the strategic moves involved in the articulation of ethical positions *across different sites of practice* to be described in consistent terms. The logical setting together of these two dimensions also has the benefit of revealing modes that we may not observe empirically, or might not anticipate from an individual perspective (see Becker (2014) on this productive analytical feature of cross-products). In this case, the unused mode is that of

“institutionalised interrogation” – the fixing of an ethical stance in relation to the authority of an other in a way that configures the ‘truth’ of ethical worth as open: fallible, unsure of itself, questioning and reliant on a community of practice to regulate but also keep open its ethical endeavour.

We can pull further back from the accounts to consider how Figure 1 might enable us to frame recent developments in research ethics. As I have argued, within the academic context, ethical security has been seen to be based on the indubitable modes of *self-evidence* (the law of the heart), or bureaucratised *symbolic self-evidence* (the mere following of protocols written by ethics committees). Each of these serves to close down a sense of ethical truth in relation to contrasting points of authority. There is, further, the frequent appeal to reflexivity in the form of self-reflection (self-anchoring against the vicissitudes of the research process). Here there is an openness in respect of what constitutes ethical worth, but one that is addressed in terms of a privatisation of individual judgment.

In this context, the possibility of the mode of *institutionalised interrogation* – one that my own approach to the analysis of ethical stances in this article instantiates in its development of a specialised method developed and regulated as a social practice in the academy - seems to get lost. It is one that brackets consideration of any ultimate ethical truth and so may be regarded as an unsettling and unnecessary response to the consideration of ethical concerns. Yet my claim is that it *is* necessary if we are to avoid falling back on the autonomy of the person whilst maintaining the openness of ethical negotiation. Only thus can new orderings be generated in the face of the rejection of the ultimate authority of proceduralised ethics *and* the evident complexity

of ethical manoeuvring in research. Humanist tendencies deny the significance of strategic modes and seek security in respect of ethical issues. Yet the schema in Figure 1 regards recourse to the authority of the individual researcher to be an anchoring move like any others, configuring the self strategically rather than an authentic point of access to an ethical truth.

ENDNOTES

i The use of the word ‘belies’ contradicts the argument that seems to be being made here that the nature of interactions support the idea that members are aware of the public nature of their activity.

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