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## **“Catch 22” of Research Ethics: Ethical Dilemmas in Follow-Up Studies of Marginal Groups**

Ingeborg Marie Helgeland  
*Oslo University College, Norway*

*In a follow-up study of adolescents with serious problems, the author experienced dilemmas involving satisfying standards of research and ethical guidelines. The guidelines aim to protect marginal and vulnerable groups based on a hypothesis about the best interests of the weak group. Research experience shows, however, that these regulations also prevent coming in contact with informants. During the project, informants were systematically asked their opinions about being contacted. Ethical guidelines for research are discussed in light of ethical theories and findings of the research. The conclusions are that research guidelines are shaped from “above” and that one consequence is a protectionist attitude not always serving needs of respondents. It is suggested that the establishment of ethical standards in research may be improved if done in dialogue with respondents.*

**Keywords:** *research ethics; adolescents with serious behavior problems; research interview; qualitative research; follow-up studies*

The last decades of the 20th century have witnessed a growing concern with ethical aspects of research in medicine as well as in social and behavioral sciences. In most countries, legislation has been enacted and standards for ethical conduct introduced to protect the privacy of informants, informed consent, and confidentiality. The basic intention is to protect respondents, particularly those perceived as weak or powerless. Rules are often strict and no respondents shall be interviewed unless they have given their informed consent.

It is obvious that these types of regulations should be respected for their intention of protecting weak and marginalized individuals and groups. However, if rules are observed to the letter, this may prevent research judged by

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the respondents to serve their interests. It is not self-evident that the possible respondents from deprived groups want this type of protection. It might be that heightened concern with this type of privacy first and foremost reflects middle-class values and is contributing to a "catch 22" of ethics.<sup>1</sup> An ethical choice would be to ask each possible respondent whether she or he wants to be contacted. But to contact them directly without getting consent by letter is judged to be unethical by the existing research regulations.

This problem became actualized during a follow-up study of women and men who in their youth were adjudged to have serious behavioral problems (Helgeland, 1989, 2001; Helgeland & Waal, 1989; Waal & Helgeland, 1989). In the course of conducting research focused on the lives of these persons, it became clear that these inquiries could not be done without "stretching" some of the regulations. A relatively high percentage of the respondents left requests sent by post unanswered. To contact them, the researcher had to "break the rules" related to privacy because ethical regulations seemed to prevent follow-up studies of persons living in marginal situations. All respondents in the study were asked how they viewed this rule breaking.

In the following, two general dilemmas will be examined. In so doing, I will attempt to show how these were dealt with. To evaluate the choices made, I will initially present some central aspects of the ethical theories serving as the foundation for decisions made and actions taken. Next, the opinions voiced by those supposed to be protected by ethical rules and regulations are examined and discussed in light of ethical theories. In concluding, I wish to show how much research—not only that reported here—presents similar dilemmas for investigators if rules and standards for ethical conduct are to be followed to the letter.

## RULES AND REGULATIONS

In the social and behavioral sciences, two pieces of legislation have central importance in Norway. The first of these, the personal data law of 1978, established a set of procedures to be followed in gathering personal information as well as the conditions necessary for dispensation. This law, administered by the Norwegian State Data Inspectorate, aims to protect both the interests of the individual as well as that of the collectivity—the society (Bing, 1991). Interests with respect to the former are understood as those involving personal information about the individual's own life, access to this information, and how information may be used and stored. Society's interests are those involving information about the lives of individuals deemed important for organizations to function effectively.

The second piece of legislation influencing research is paragraph 13 of the standard Norwegian administrative law—the so-called duty of silence (Datafagligsekretariat, 1997). This rule protecting confidentiality and ano-

nymity in administrative matters also applies to researchers. Like civil servants, they are required to treat personal information about individuals as confidential material.

In addition to these legal safeguards, the Norwegian government has encouraged research communities to establish standards and guidelines. In 1990, the Norwegian Ministry of Religion, Education and Research established a national research ethics committee for the social sciences and humanities, the Den nasjonale forskningsetiske komite for samfunnsvitenskap og humaniora (NESH). The mandate for this committee was to work out guidelines for ethical research. The first of these, presented in 1993 and later revised in 1999, aimed "at helping researchers and the research society as a whole to reflect on their own ethical perceptions and attitudes, make them aware of norm conflicts and strengthen their ability to make well-grounded choices" (NESH, 1999). A central element in these guidelines was respect for human dignity. These guidelines emphasized the importance of free and informed consent as a core right for informants in research projects. In particular, the guidelines aimed to ensure that informants were to be protected against injurious actions as well as unnecessary stress. The guidelines especially highlighted the importance of research in documenting the situation for weak and deprived groups as a first step toward improving the conditions of their lives. In addition, researchers were cautioned not to take for granted that the rights of individuals for self-determination, informed consent, and protection were secured simply by the application of standardized rules and procedures for research.

These guidelines, however, provided no practical advice or counseling about how these kinds of problems were to be overcome.

## THE RESEARCH STUDY

As noted, the investigation was a longitudinal follow-up study of 85 women and men who in their youth had been adjudged as having serious behavior problems. The original study concerned a child welfare project in the county of Buskerud, in Norway, from 1981 to 1985. The project, financed by the Norwegian State, was built up along multidisciplinary lines involving cooperation between different departments and administrative units.

The youths in the project were interviewed at the time of their admission, and a status report about them was made at the project's conclusion in 1985 (Sosialdepartementet, 1985). Five years later, a new round of follow-up interviews with the youth from the project was carried out and data from these interviews were analyzed (Helgeland, 1989). In 1997, a final round of follow-up interviews was initiated. In this round, 60 of the original 85 informants were interviewed. Experiences from these interviews serve as the main material for the following discussion of ethical problems and dilemmas.

The majority of interviewees reported growing up under very difficult conditions. In school they were involved in disciplinary problems and were often truants. More than two thirds of them engaged in various forms of criminality at the time of adolescence.

As a consequence of these and related problems, most of these youths seldom attained more than 9 years of education. This, of course, had major consequences for their subsequent histories in the labor market. Although 60% of the informants today live more or less normal and crime-free lives without substance abuse problems, they have a weak position in society, with minimal influence and power. In relation to the average Norwegian population, most of them have limited economic resources and their social networks are relatively weak. On the basis of these and related characteristics, it is clear that the group qualifies for membership in the population the NESH guidelines state that Norwegian society research ought to assist.

In accordance with standard procedures and regulations for research, applications for permission to carry out both follow-up studies were submitted to the Ministry of Social Affairs, the Justice Ministry, and the Data Inspectorate of the Norwegian government. Permission to conduct the research was then granted once these agencies ascertained that planned research had satisfied standards for confidentiality, anonymity, data protection, informed consent, and related areas. On receiving permission from these agencies, a letter requesting the current addresses of participants from the project was sent to the central address registry of the Norwegian government.

## TWO ETHICAL DILEMMAS

At this point, the research was being conducted according to the rules. Necessary permissions were received and the researchers embarked on the research with the best of intentions. Then arose the dilemmas.

### Dilemma 1

At the practical level, the final follow-up involved a series of tasks: finding out where possible informants lived, sending letters and reply cards explaining the project, requesting their participation as interviewees, following up unanswered letters with new ones (not more than two times), and making telephone contact. Furthermore, after the interviews had been carried out, they were returned in typed form to the interviewees. In some cases, interviewees were contacted telephonically to ask how they had experienced the interview situation as well as their reading the interview text. Finally, thank you letters and cards were sent to all informants.

The research proceeded not without difficulties. A great many project participants had moved many times, a number had no fixed address, and others were imprisoned. It was always an open question whether the possible informants had received the letters, and it was often necessary to engage in extensive investigation far exceeding the temporal and budgetary framework of the planned research.

Despite considerable efforts, only 20 persons had replied after receiving the letters and the reminders. Of these, three declined to participate in the study. Thus, if the research had been conducted in strict compliance to both the ethical guidelines and the law, this would have resulted in an interviewee population of 17. Obviously, this was not enough to establish a representative group. It was therefore necessary to telephone those who had not answered the original letters as well as send additional letters.

*The problem here was that research ethical guidelines do not correspond to the reality of the situation. Obviously this creates a dilemma: It is not possible to satisfy both the demands of the ethical guidelines and those maintaining standards for conducting research.*

## Dilemma 2

When the letters were sent out, I experienced a feeling of bodily discomfort. Would these letters be an unpleasant reminder of the past for respondents today living an ordered and ordinary life? I felt much of the same discomfort when arriving for scheduled interviews. How would they experience meeting a stranger asking them questions about sensitive areas in their lives? How should I conduct myself so that they would not feel more or less compelled by me to sign the declarations about informed consent?

Clearly, my own motherly caring needs influenced many of my concerns. In addition, I am socialized at a time and in a culture seeing as imperative that one should "respect the privacy and personal boundaries of others. You should never force yourself on anybody." Finally, I was most certainly influenced by the values of the helping professions and its views of clients as persons needing both assistance and protection.

I had bad feelings, but ethical rules did not exist to protect my feelings, only the feelings of the respondents. Did my feelings correspond to the feelings of the respondents or did they express paternalism and/or middle-class values? The main question involved whether my own construction of the situation as a researcher corresponded to the possible discomfort informants experienced on being contacted for the interviews. It was impossible for me to learn the answer to this question without contacting the informants. *The second dilemma is that I could not decide whether such contact would cause the informants discomfort without first contacting them.*

The only way to solve these dilemmas was to enter into dialogue with my informants. This made it sometimes necessary to balance rather precariously along the boundaries of what was acceptable in terms of research ethics. Throughout much of this project, I felt as though I was existing in a field of tension crisscrossed by my doubts and discomforts, formal guidelines for research procedures and accountability, and the "voices" and opinions of my informants. Obviously, there was something fundamentally wrong.

## ETHICAL THEORIES

*Dutiful ethics* represent that which can be understood as the commonly upheld rules for action: One should, one should not. . . . Some actions are fundamentally wrong, whereas others are good. One wishes to clarify the boundaries of what is ethically acceptable as well as of what good intentions consist of. Dutiful ethics emphasize that it is important to act ethically in relation to oneself and others in our search for the good. The point of departure here is in the notion that there are absolute values. The source of our norms for right and wrong may be inside us, such as reason or conscience, or outside us, as represented by God or the state. Kant linked ethics to the notion of the will. He viewed humans as beings with reason. He believed in unique values and emphasized human worth and dignity. We should always avoid using others as means to ends. Reciprocity is often used as an illustration of this principle (Johansen & Vetlesen, 1996; Tranøy, 1986).

What relevance has dutiful ethics in respect to research? In the main, this position requires that one should act in accordance with those norms demanding justice, humanity, and equality as well as with the guidelines for ethical research. One should, for instance, not cause injury to weak persons and groups. However, one has to ask whether this framework is sufficient. Good intentions are insufficient if research results in negative consequences for the interviewee. Furthermore, a problem with a dutiful ethical position is that it might neglect important cultural differences. Different actors and groups in contemporary societies might not always share similar judgments and assessments of values.

*Discursive ethics* assumes a different perspective. Conflicts are solved through dialogic processes between implicated parties. Neither God nor rules provide the answer. It is only through dialogues between participants that agreement may be reached. The discursive position has been developed and refined by Habermas (1999), among others. Its focus is directed toward moral conflicts of interest. Habermas maintained that opinions about what is right or wrong develop in the ebb and flow of dialogue. The conversation, the dialogue, produces ratios. In modern society where we have liberated ourselves from authority, responsibility for ethical decisions rests on our own shoulders. Freedom also entails responsibility. A fundamental premise in the

discursive tradition is that the consequences of all actions involve the interests of all parties. Thus, norms have to be supported by all participants in the discourse. This means that discursive ethics have to attend to the consequences of actions, as well as to consensus. From the discursive perspective, conversational activities are not only interest-based discussions. Participants do not solely attempt to further their own interests but to serve the best interests of their shared fellowship.

"Truth," in this framework, is that which grows out of dialogue and discourse. If one uses this ethical position in research activities, we must talk with our informants and agree on our actions. Consequently, this position presumes the possibility to enter into dialogue.

*Utilitarian or consequence ethics* focus on the consequences of actions, as well as the goals toward which actions are directed. Primarily, these involve "goodness," happiness, justice, knowledge, and love. They focus on whether actions contribute to maximizing welfare for all parties. The ethics of consequences imply that it is consequences that matter, not the action by itself or the process (Johansen & Vetlesen, 1996; Tranøy, 1986). Thus, it is neither goals nor good intentions that carry weight in this framing. Here, the main question is what is good or best for whom?

A modern version of this position has been called preference utilitarianism (Hare, 1981). What is good is that which maximizes the preferred utilities of the implicated parties. To discover what preferences are, it is necessary to experience their situation and wishes. This demands ability for empathy. According to Hare (1981), we cannot achieve an overview of the situation with respect to consequences of actions and means toward goals without understanding their preferences from within. Central to Hare's more complex view and his thinking is the notion of empathy: something he referred to as social intelligence. According to Hare, because we rarely or never can gain a full view of the consequences of actions, we, thus, are required to use our empathy to position ourselves as best we can in the other's place. (This perspective can also be referred back to George Herbert Mead.) Obviously, close contact and knowledge is necessary.

If we apply the perspective of consequence ethics to research, the results or consequences of research are that which assume center stage. From a narrow perspective, it would appear that it is only those consequences leading to happiness that have a decisive role. However, if one holds as basic the value that there is a need for justice and equal sharing of goods in society, one will give preference to those consequences leading to a redistribution of goods improving the lot of weaker groups in society. With respect to the research described in the foregoing discussion, one of the major reasons for conducting the study was to improve situations for children and adolescents who have come into contact with child welfare agencies by increasing our knowledge of their lives. At the same time, however, one must ask whether a more equitable distribution of goods in society is a necessary precondition for pro-

viding happiness for the greatest number of people. This underscores that if consequence ethics are to have any meaning, we have to attend to issues involving basic values about what are good and bad consequences for whom.

A quite different view of ethics in research is the *feminist communitarian model* presented by Norman Denzin (1997). This model is also discussed by Rosalind Edwards and Melanie Mauthner (2002) and Clifford Christians (2000). The model is normative and "serves as an antidote to individualist utilitarianism" (Christians, 2000, p. 144). One important focus here is on how the researcher should represent the interests of those who are studied. An offer of help should be made, in line with the participants' own understanding of their interests, and this should particularly be done whenever participants are oppressed. This is an ethical care model, which includes emotional identification and solidarity with the people being studied. Ethics is about being sensitive to the Other. Selma Sevenhuijsen (1998) stressed that ethics of care implies moral *activity*, the activity of caring is more important than principles. "Within Sevenhuijsen's version of an ethics of care, ethics thus needs to be interpreted and judged in specific contexts of action—it is fundamentally contingent practice-based" (Edwards & Mauthner, 2002, p. 27). This should imply that as researchers, we should then practice care in relation to our persons studied.

Linda Tuhiwa Smith (1999) focused on the need for researchers within the group being studied to do research in the field of indigenous cultures. Western knowledge paradigms have a power position and select the "view" and the "outcomes" of research. They do not allow the people or the communities being studied to voice their understanding within their own cultural contexts. The marginal group in the Norwegian follow-up study can be seen as being subcultural. According to Smith's perspective, a relevant ethical question would be to ask whether it is possible for others than "insiders" to study this group. Anyway, for an outsider researcher, it is important to take a "bottom-up" perspective. This implies a context research ethics, which extends far beyond issues of individual consent and confidentiality. It includes respect and sensitivity for the people being studied. The researcher has to know and practice the ethical codes of conduct within the group (Smith, 1999, pp. 119-120).

The majority of ethical theories entail taking a moral stance. Utilitarianism bases itself on a fully informed, nonpartisan, and empathic actor who wishes the best for all. Whether the action is ethical or unethical is based on the consequences. In Kant's ethics, there is the categorical imperative (Johansen & Vetlesen, 1996). This entails that we start from the position that everyone is equally worthy. A morally valuable action for Kant is one having a norm or rule for living contributing to respect and equality among society's members. Discursive ethics entail that participants together shall agree on what is best in any situation. The feminist communitarian model does not represent individualist and universal ethical principles, as does consequence ethics and the

ethics of obligation. On the contrary, it presumes that values and moral commitments are negotiated through dialogue in sociocultural situations. "What is worth preserving as a good cannot be self-determined in isolation, but can be ascertained only within specific social situations where human identity is nurtured" (Christians, 2000, p. 144). Social values are based on the personal experiences of daily life, the confrontation with an ethical dilemma in a specific situation or context.

## THE VOICES OF THE RESPONDENTS

What were the reactions of the respondents? At the conclusion of each interview, informants were asked how they had experienced receiving letters inviting their participation, my telephone calls and visits, and the process of being interviewed. Also, they were asked how they felt reading the interview transcripts about their lives after being interviewed. Finally, each informant was asked whether she or he felt free to say no or yes when asked to participate in the follow-up as well as to sign the form about informed consent. In the following, I present the voices of different types of respondents.

### The Majority of the Responders

Nearly without exception, the interviewees answered that they had no problems with being contacted. It appeared that marital partners were fully informed about their backgrounds. In fact, many partners were present while the interviews took place. This led me to suspect that my own fear was much more the source of my doubts than were the actual experiences of the respondents to the interviews. For many, it was quite OK that I had exerted myself to contact them. "You make me feel like an important person," was the way one respondent expressed himself. Some had put my letters away and forgotten about them. Others had used so much time before thinking about responding that they felt their letters would arrive too late. In addition, because the letters from me stated that I would contact them, they had actually waited for my telephone calls.

### The Reflective Hesitator

Harald lived in a treatment collective composed of former substance abusers and was interviewed by Unni, a graduate student. I had telephoned a few days after he had received the first letter from me. He seemed somewhat hesitant. I told him a bit more about the project and what it entailed as well as its major purpose: to assist the child protection authorities to do a better job. Recalling this situation, I think there was a delicate balance between provid-

ing a person with information about the project and convincing that person to participate. I also recall that I experienced this situation as an uncomfortable one. Harald, however, agreed to take part. In concluding the interview, he was asked how it felt to be contacted:

What did you think when you got the letter?

"This I should think about," I said to myself. But she called before I got the chance.

She should have been a salesperson.

(The interviewer cannot help but laugh.)

So she surprised you then. What was it you wanted to think about?

If it was of interest to me, if I had time, if I really wanted to.

Do you feel it is awful to talk about your life with a total stranger?

Well, I have done much more than that since coming to this place.

As the interview proceeds, Harald says that he feels it is going well. The interview, he reports, is much different from talking with the staff at the collective. He says it feels good to give his opinion about the child protection authorities.

In retrospect, it is clearly a point of discussion whether Harald felt he had any real choice in the matter once the interviewer first had made the long trip to the treatment collective and was sitting right in front of him. In such a situation, it takes courage to say no.

The question of timing here is an important point. With Harald, it seems that I was operating too quickly. To organize and to administer properly the interviews and appointments, however, demanded that I use my time effectively. The interviewer had another job in addition to her graduate school studies and she had taken 1 week free from her job to conduct interviews. If Harald could not be interviewed at that time, it would have been necessary to wait 2 to 3 weeks—when the interviewer was again free—to call him. Experience from this and other similar research demonstrate that effective scheduling of interviews was called for to make use of the time and resources available. Therefore, it was extremely helpful to receive such "wake-up calls" like Harald's comments about salesmanship to put a brake on what had become a drive toward greater efficiency and action in the project. Following Harald's comments, I made it a practice to give those I wished to interview more time to respond to my letters before telephoning them.

### **The Late Responders**

Is it correct to arrive unannounced at a person's home when she or he has not answered the letters and cannot be found in the telephone catalogue? Should one then involve the social welfare agency to forward a letter to one of its clients? The first round of follow-up interviews had shown that many respondents had ambivalent feelings about social welfare agencies. On one

hand, these were often regarded as powerful bureaucratic institutions and as systems to which clients had to subordinate themselves to get assistance. Very few informants reported opening up in meetings with their caseworkers. I wished to position myself independent of social welfare agencies, although I knew that some potential informants enjoyed good relationships with their caseworkers. In only two instances did I ask agencies for help in contacting clients. In both cases, these involved clients who did not have permanent addresses. Neither of these persons reported that they felt it wrong that I had used the agencies to contact them. One telephoned me after my letter was forwarded, whereas I managed to contact the other—who was incarcerated—in prison.

In two instances, I chose to arrive unannounced at the homes of two potential informants. Both were women. One had not been in contact with the social welfare agencies for many years, whereas the other was involved in a conflict with the child protection agency about custody of her child. First, Anna:

Anna lived a normal life, without any form of substance abuse or contact with the law. She had not replied to any of my letters. However, she was very positive when I arrived unannounced at her door and we made an appointment for an interview at a later date. (She told me then that she had planned to send me a positive answer to my letters, but that she had not managed to get the letter sent.)

The other woman, Julie:

On the way home from one of the cities in the northern part of the county, I drove through the village where Julie lived, to whom I had sent three letters, without any answer from her. I had tried without success to find her telephone number. I found the street where she lived and parked in front of number 12: a small, older two-story house. Two older cars, without license plates, were parked in the yard. Otherwise, the yard was green with a garden where an old lilac tree bloomed. The air was laden with the smell of lilacs. I rang the doorbell and a girl of 8 or 9 answered. I asked for Julie. She was sleeping. The girl went into the house and shortly returned. She asked whether I could come back another day. I returned to the car and then thought she needs an appointment, so I returned to ring the doorbell once again. The girl answered and I asked if she can find out whether the coming Monday is okay. She went inside, returned after a while and gave me a cellular phone number for Julie.

Returning to work on Monday, I found a letter from Julie awaiting me with an address and a telephone number, with the message she can be contacted for an interview. I call at once and we agree where and when to meet. Her voice is light and friendly. "But it wasn't such a good idea for you to ring at my door on Friday," she scolds me. I apologize and we agree it's now okay.

(She told me after the interview that she felt good about it.)

### The Prisoners

Young men with substance abuse problems and delinquency were difficult to reach. When not imprisoned, they were extremely difficult to find. But

when incarcerated, they were drug free and positive about being interviewed. Consequently, they were contacted in prison. None were negative to being interviewed:

I faxed a letter to Tom in the prison where he was incarcerated and added to it information about the study and necessary permission addressed to the prison administration. I telephoned the prison several hours later and asked Tom via the officer of the day whether I could interview him the following day. This he agreed to. During the interview, Tom stated that it was very important for him to be part of the study. He had much to say having used much of the previous day to think about his life and prepare him for the interview. This led to a long conversation with a reflective informant.

Of course, an objection can be raised as to whether interviewing prisoners may be a form of exploitation of their loneliness and their need to break the monotony and boredom of prison life. However, when asking the prisoners I interviewed about this, they denied that these factors had a role to play in the interviews. They stated that it was important for them to contribute their knowledge to the study. In addition, they remarked that it would be difficult to contact them following their release because they usually live hectic lives.

### **The Refusers**

Five persons refused to join the study. Three refused by letter, and one refused by request by telephone. One woman, whom I called twice, stated on both occasions that it was inconvenient for her to talk with me at those times, but she never stated she did not wish to be interviewed. Although I had very strong doubts, I decided after several weeks to call her once again. Then she revealed that she really did not wish to be interviewed. She stated that she had not gotten around to replying to my letters. She also reported that subsequent to receiving help in the project 15 years earlier, she had lived in a normal context. Like other ordinary young people, she had gotten herself an education, a job, and a place to live. Recently she had acquired a partner and she felt that one of her main needs was to be regarded as a regular person and not be reminded of her past.

### **The Nonresponders—To Be Respected**

The question of what to do about those who had no telephones as well as those who had not responded to the second and third letters was difficult. I tried different courses of action and alternatives, as shown earlier. There were nine persons whom I decided not to contact directly or try to reach with the help of social agencies. There were several reasons for this decision. At the

end of the data gathering I was quite tired, most because of the pain I had to bear by listening to respondents' life histories. The respondents had sad and tragic stories to tell about their growing up. Another reason was that the limited time for the study faded away. And a third reason was my intuition. I had some information about the persons who did not respond, and I was not sure if it would be right making contact with them.

### Summing Up

If we listen to the respondents, it seems that few felt a need for being protected from being contacted by the researcher. Those who did not want the contact had the capability to refuse, as they actively did. Those willing to be interviewed were often eager to be interviewed despite not having responded to my letters. There was a high frequency of nonresponses to written information and questions, and several persons needed personal contact to respond. They seemed to value this personal contact.

According to the informants, strict adherence to the guidelines was partly unnecessary and partly unwelcome. Moreover, to do so would have deprived respondents the opportunity to participate in an activity they judged as meaningful. There existed, however, a small minority who reported a need to be left alone and I respected their choice.

### ETHICS AND DILEMMAS

Foremost, I wish to consider how these dilemmas have been solved or should have been solved. My point of departure here is the need for follow-up studies of children and youths that have received treatment of this sort from child protection agencies. In Norway, there exist few studies of this group. The Buskerud Project and the first round of follow-up studies laid the foundation for subsequent research by gathering and ordering background materials about the project's participants as well as carrying out the first interviews with them. This and the later research yielded a collective interpretation and evaluation of data collected at four different times since the 1980s. Together, this material could serve to provide child protection services with improved knowledge of the lives of earlier clients, how these clients themselves evaluate the services they have received and the programs they have participated in, and the clients' relationships to child protection agencies and other organs of the welfare state. Thus, from a societal perspective, this investigation can be seen as both useful and important. In a similar manner, as a set of actions contributing to the completion of these studies, the research can be evaluated positively from the perspective of consequence ethics.

According to dutiful ethics, however, this is more problematic, as this involves the rights of informants to privacy and autonomy. *Privacy* has been defined as

the freedom of the individual to pick and choose for himself [*sic*] the time and circumstances under which, and most importantly, the extent to which, his [*sic*] attitudes, beliefs, behavior and opinions are to be shared or withheld from others. (Kelman, 1982, p. 48)

Social scientific research focuses exactly on personal information, and because this is embedded in the very "nature" of research projects, risks of disturbing the private sphere of the individual are ever present. In this respect, it can be pointed out that others have defined the privacy concept in more direct and pithy terms as simply "the right to be left alone" (Pinkard, 1982). This polarity between a utilitarian and a dutiful ethics is illustrated by the case of Julie. As reported above, I dropped in unannounced on Julie. In doing this, I balanced precariously close to neglecting her right to privacy, according to dutiful ethics. Yet seen from within a frame of consequence ethics, Julie was a very important informant for potentially valuable research. She was not only a member of the group I interviewed three times since the project's beginning but also someone I knew had lived in an extremely difficult situation. An interview with Julie would strengthen the study and thereby contribute to knowledge about the Buskerud Project and its effects. Furthermore, it turned out that she did not appear to suffer as feared according to the right of privacy. She seemed completely able to protect herself. She asserted herself in a competent way in expressing her anger about my initial visit to her home. Framed in terms of discursive ethics, the only way to make a judgment of the ethics of this situation was through dialogue, focusing on whether the interview should have been conducted. And seen from the feminist ethics of care, the interview situation was pleasant for both of us. She told me that she felt she was listened to and taken care of.

In the case of Anna, she seemed to react positively when I arrived unannounced at her home. I asked her about this during the interview. Usually we expect that people will react negatively if they do not like intrusions of this sort. Although I myself do not like getting telephone calls from persons trying to sell me one thing or another or finding persons on my doorstep proselytizing for one religion or another, this does not necessarily mean that all persons share my dislikes. Quite possibly, then, the research guidelines requiring investigators to gain permission prior to visiting potential informants may be more of a reflection of middle-class values about the sanctity of privacy than of ethical considerations.

In both of these cases, the only way to get in touch was to knock at their door, to come in direct contact and create a relation, to evaluate what was ethically good. The recommended approach is to write a letter to ask for partici-

pation in a project. But the only support for this recommendation came from Harald. As noted, he felt that he had not been given enough time to think about participating. It must be noted, however, that Harald was one of the few interviewees whose parents were well educated. In such a home, it could be expected that writing was culturally valued and most likely to function as a code for good manners, caution, and distance.

This did not seem representative for the group. The definition of *good manners* obviously differs greatly from one cultural system to another. For example, "our" way of thinking about how social contact ought to be established is not necessarily functional or shared by other groups. Many of my informants lived ways of life much less structured and unstable than those lived by a great many others in Norwegian society. For a number of reasons, some informants found it complicated to relate to written invitations. Some of them had serious reading problems. Others found that filling out a response form and placing it in a preaddressed and stamped envelope was an extremely complicated task. In relation to this group in particular, attempts to establish contact with the help of letters and the written word could easily evolve into exercises in futility. Researchers respectful of the rights of others to privacy could easily find themselves seated behind their desks waiting for responses that never arrive. The voices of the respondents show informants who regard the unannounced visitor at their doors as a natural and pleasant occurrence. This suggests that it is not always research guidelines providing us with answers to questions about proper procedures and other matters. According to both discursive ethics and feminist ethics of care, it is the informants in research studies who provide us with the answers to such questions. Not to contact them would have been to deprive them of valued experiences and, therefore, unethical according to consequence ethics.

As earlier described, all informants were asked specifically how they experienced being followed up, contacted, and interviewed. Those interviewed denied that they had difficulties in dealing with direct contact. The informants gave no support whatsoever to the doubts the researcher initially had about the research being an unwelcome intrusion in their lives.

On the contrary, they liked getting chances to speak their minds and that someone was interested in listening to their experiences. They felt their participation in the study had been a good thing. If they had been protected against being brought into the study, their voices as independent actors would never have been heard. Looking back, it is clear today that my doubts and fears about the harm that I could cause by intruding on the territories of my interviewees were groundless.

One year after interviewing one of the informants, he contacted me to have a talk. At that time, I gave him a short résumé of this article in Norwegian. While reading it, he began shaking his head when coming to the part describing my moral doubts and exclaimed,

This is how YOU PEOPLE think. We who have lived in really tough situations, we don't think at all like you do, and we don't see it like you do. It is great that somebody cares enough to find out what has happened to us.

This view is supported by experiences in another research study. After completing a graduate thesis that focuses on the experiences of former child protection clients who had grown up in institutions, its author, Ann-Helen Johannessen (1999), was telephoned by one of her informants who had read the thesis. In the course of their conversation, he stated,

Because I got to tell my story, and that I was taken seriously, and then able to read my story in a work written by others, has made it possible for me to experience that I am finished with all the awful things that happened to me at that time. (A.-H. Johannessen, personal communication, November 1999)

These voices are relevant with regard to the Kantian imperative that one should treat other persons as being valuable in their own right, not simply as means to an end. In one way, however, the informants themselves have been the means for bringing forth new knowledge about being clients of the child welfare system. On one hand, this does not necessarily mean that one has no respect for their privacy because one arrives without an appointment at their doors. Dutiful ethics have little to say about whether the same acts can have different meanings depending on the environments where they take place. The only possibility for learning about this is to engage in dialogue with people and by asking them relevant questions. It is in dialogue that one can first evaluate practically actions that are good for the Other. Both the ethics of discourse and the feminist communitarian ethics of care can legitimate making contact directly with possible informants without a written declaration providing the research with informed consent beforehand.

Nevertheless, some warnings should be noted. It is an inescapable fact that the researcher is an authority figure difficult to turn away from one's door. The appeal of the project's goal, namely, that of yielding knowledge for improving child welfare in the future, quite possibly made it difficult for informants to reject the researcher. Furthermore, the researcher's perseverance in trying to contact informants and to collect their life stories may have been interpreted by informants as personal interest in and concern about their lives and, thus, made it more difficult for them to refuse to cooperate with the researcher. These factors implicate that the respondents might feel overwhelmed, perhaps manipulated. Precaution and sensitive respect from the researcher are important.

Is the demand for quality of research relevant? The sample size was clearly "threatened." As described by Føllesdal (1995), such goals involve research that easily comes into conflict with the rights of persons who do not wish to participate in research. This problem is closely linked to that of the ambitions shared by most researchers to be regarded as "clever" scientists. On the

whole, researchers feel pressured to present themselves and their findings in the best possible light. I, too, felt this press.

How far is a researcher prepared to go to gain the most representative sample of informants? Obviously, brinkmanship caused by personal ambitions is unethical from all ethical positions. What then were my motives in trying to contact potential informants so that I could interview them?

Seen from the position of consequence ethics, the investigation clearly had social significance. To increase understanding of children and youth with behavior problems is a worthy motive. This was an opinion shared by the informants, who stated that they found participation in the study to be both a good and a valuable experience. When calling those with telephones who had received finished transcripts of the interviews, they were asked how it felt to read the interviews. All replied that it felt OK. What, then, if some informants would have reported having problems owing to my attempts to contact and interview them, whereas others had no problems whatsoever? Could the study and my procedures then be defended? These are difficult questions to answer, and only discursive ethics and the feminist ethics of care seem capable of providing answers. In the project, I chose not to persist in my efforts to contact nine potential informants ("the respected resistant"). The decision was based partly on my prior knowledge of them as well as partly on my empathic intuition. These served to generate my own doubts about whether it was correct to continue trying to contact them.

What were the motives of those who chose to let themselves be interviewed? First, it appears that some were motivated quite simply because they were asked to be part of the study—this they have communicated in various ways. Some have stated that they felt they had important things to say about their lives and their meeting with the welfare apparatus. These have been both positive and negative, but all felt that such experiences had value as knowledge. They felt it was important to tell what they knew. Many stated that someone should have come to interview them many years earlier to ask them about how they experienced the Buskerud Project. Others gave altruistic reasons for their participation in the study. They felt that their knowledge might be of help to other children and adolescents in situations they themselves earlier had experienced.

Some reported participating in the interviews because, as they put it, they were curious about the study. Others stated that the interview situation gave them opportunities to summarize where they had come in life, to conduct inventories of what had taken place and to help order their lives. Although it is speculation, some of those interviewed in prison may have been motivated to take part in the study as a way of having a chat with someone from outside prison and of breaking the monotony and boredom of prison life.

When informants told me that the interviews had been important for them, I accepted these statements at face value. When it came to my worries

and fears about intruding and disturbing the privacy of the informants with letters and phone calls, the informants did a good job of convincing me that my concerns were out of all proportion to their realities. Consequently, I have changed the picture I have of myself as well as my perceptions of the informants. In contrast to when I began the study, I today view the informants as much more independent actors who possess the power to say what they feel. This I learned by asking those I was studying. Those who did not wish to take part in the study either sent back an answer marked NO or told me so when I telephoned them. Nevertheless, it is conceivable that some may have had problems in saying no because of the power differential between them as informants and my own position as researcher. Although I endeavored to make our dialogues into conversations between equals, it may be that this is not how informants experienced the interview situations. Although I always tried to be nice and create a pleasant interview situation, this may have made it even more difficult for some interviewees to say no to me.

## SUMMING UP

To demand active prior consent to be interviewed from a group such as this can create a number of difficulties in establishing contact. Aksel Hatland (1996) has noted that a number of investigations focused on so-called weak groups in Norway often have encountered great problems in achieving representative samples. In most cases, potential informants simply do not respond to the initial letters asking for their assistance. Hatland's conclusion is that procedures to protect personal rights and privacy in Norway calling for consent prior to participation in research projects have been too stringent. Consequently, many studies have lost much of their value owing to failures to achieve adequate samples because of these kinds of restrictions. After having talked with many who had not replied to my initial letters, it is my impression that what is most important is that persons themselves should have real possibilities to say no or yes in such studies.

Despite some of the objections I have raised in the foregoing discussion, I believe that it is important to remain open to nuances and maintain empathic intuition for which methods one should use in making contact with potential informants. Irrespective of which method is used, a basic respect and sensitivity for the boundaries, culture, and privacy of others must always be present in any kind of research (Smith, 1999, p. 120). A self-critical perspective applied to one's own power as researcher should accompany this. Furthermore, this perspective ought to enhance one's awareness of how researchers, by blending their own feelings with those of informants, may deprive members of this latter group from chances to be seen and heard.

Ethical guidelines are made to protect marginal and vulnerable or "weak" groups of persons. In this article, I have suggested that this perspective, rather

than protecting people, can imply that they are incapable of managing their own affairs because such guidelines prevent researchers entering into dialogic relations with them. Without including the discourse-ethical perspective or the feminist ethics of care, one will not accept their personal authority. To know if they have to be protected, you have to ask them, and thereby break the rules. The empirical evidence presented in the foregoing suggests that many such regulations are shaped from "above," from a hypothesis about the best interests of "weak" groups. This ignores the very real point that regulations in use may end up suppressing members of such groups because they imply that so-called weak respondents are incapable of managing their own affairs. In this discussion, I have argued for breaking these rules in a very careful way. It is only when a dialogue between the researcher and the people studied has been established, in a specific situation and context, that one can decide whether action is ethically good. "Understanding, not consensus, is the basis of this discourse, which takes as a given the universal moral respect for every individual" (Denzin, 1997, p. 277). When this is the case, the researcher will then be predisposed to "build collaborative, reciprocal, trusting, and friendly relations with those studied" (Denzin, 1997, p. 275). I have tried to do so.

Finally, it must be noted that my construction of the informants has changed considerably after having interviewed them. Beginning with a somewhat patriarchic view of these people as still being clients of the child welfare system, I ended up by seeing them as independent actors capable of making their opinions known and trying to become good citizens of Norwegian society. As I have tried to show, this change in my view has been significant in how I then interpreted the interviews and constructed the data yielded by them.

## NOTE

1. According to the author Joseph Heller (1966), U.S. military regulations during World War II stated that soldiers should be sent home if insane. But the demand that this rule should be applied would be a sane act and consequently, the application would be denied.

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*Ingeborg Marie Helgeland is an associate professor in the Child Welfare Program at Oslo University College, Norway. She has published books and articles on the subject of youths with serious behavior problems, the challenge for schools to accommodate the education of children and youth with emotional and social problems, and educational psychology in general.*