NEGOTIATING DATA MANAGEMENT WITH THE NATIONAL SCIENCE FOUNDATION: TRANSPARENCY AND ETHICS IN RESEARCH RELATIONSHIPS

Roxani Krystalli
PhD Candidate, The Fletcher School of Law and Diplomacy, Tufts University
Contact: roxani.krystalli@tufts.edu

About this memo

In May 2018, I, Roxani Krystalli, a PhD Candidate at The Fletcher School of Law and Diplomacy at Tufts University, received news that my application for a National Science Foundation (NSF) Doctoral Dissertation Research Improvement Grant (DDRIG) would be recommended for funding through the Law and Social Sciences Division. I was asked to submit an edited abstract, proof of Institutional Review Board (IRB) approval, and an amended data management plan (DMP). The program officer said (copied directly from email):

> Your current DMP is inadequate because it does not describe how you plan to share the data with other researchers. According to NSF guidelines, deidentified data and metadata must be made available on a publicly accessible site, such as ICPSR, QDR, or OSF. This should include transcripts of interviews, fieldnotes, and codebook. You should also shorten the timeframe for archiving the materials—an embargo period of 5 years following completion of the project is excessive. The norm in the LSS program is 1-3 years. You should send me a revised DMP as an attachment.
>
> Please submit these items as soon as possible. When I have received them, I will proceed with the recommendation.
>
> Note that this is not a notice of an award. In order for an award to be made, the Social and Economic Sciences Division Director must concur with the Program's recommendation, and the Division of Grants and Agreements (DGA) must review all of the paperwork to ensure compliance with NSF requirements. In addition, appropriated funds must be available. While the likelihood of the award not being made is small, only the Division of Grants and Agreements has the legal authority to make awards. An award letter will not be sent to your university before DGA has completed its evaluation of the materials and has made an award decision. You can anticipate that this process will take 6-10

weeks from the point at which you return the items noted above. This may necessitate a change in the start date of your project. Once I have all the materials in hand, I will request the earliest feasible start date. The actual start date will be listed in the notification issued by DGA when the award is made. Until that time, the proposal is still pending.

I was concerned about the implications of this request for the safety of my research participants and for the ethics and methods of my proposed project. After consulting with my dissertation chair, Professor Kimberly Theidon, as well as with faculty who work on political violence and ethics of research at numerous universities, I drafted the memo below.

After consideration, the NSF officer responded (excerpt copied directly from email):

> Your memo is very thoughtful and thorough; it raises issues that I, as someone whose research is not remotely similar, had not considered. I am mostly satisfied with your proposed solution, with a couple of small qualifications: you should indicate the specific open access archive where you intend to release the codebook and methodological appendix (first two bullet points under Section III.). This should be a widely accessible, public site, and not a lab website or university repository. It would be preferable to have an amended DMP incorporating the changes, though I will also upload the memo to your file.

My memo is provided below in case it can inform the approaches of fellow researchers who may be facing similar situations, whether with grants officers, journal reviewers or editors, or others. I was grateful to collaborate with NSF in reaching a mutually agreeable solution and further thankful for the support I received both from the Program Officer and from colleagues who advised me during this process.

FROM: Roxani Krystalli, Co-Investigator; PhD Candidate, The Fletcher School of Law and Diplomacy, Tufts University (roxani.krystalli@tufts.edu)

TO: [Program Officer Redacted], NSF Law and Social Sciences Division

DATE: May 24, 2018

RE: Ethics of data sharing regarding proposed DDRIG NSF project #1823387

This memorandum is in response to a request from NSF to modify the Data Management Plan (DMP) associated with the project *"We are not good victims:" The Politics of Victimhood in Colombia,* recommended for funding by the NSF Law and Social Sciences division in the spring of 2018. Specifically, the memo addresses this part of the request (copied from email correspondence with [redacted], May 17, 2018):

> Your current DMP is inadequate because it does not describe how you plan to share the data with other researchers. According to NSF guidelines, deidentified data and metadata must be made available on a publicly accessible site, such as ICPSR, QDR, or OSF. This should include transcripts of interviews, fieldnotes, and codebook.

Section I of this memo summarizes the methodological assumptions and ethical practices of the proposed research. Section II discusses the specific risks that sharing de-identified interview transcripts and fieldnotes would pose to my research participants. Section III proposes alternatives that would fulfill NSF and my shared commitments to transparent, rigorous research. Throughout, I draw from recently published work on ethics of research on political violence across fields, including anthropology, political science, and transitional justice.[1] In drafting this memo, I echo NSF's commitment to scientific rigor and enrichment of academic inquiry and look forward to finding a mutually acceptable solution that is in line with broadly accepted standards for the type of research proposed.

---

[1] I rely heavily on the Qualitative Transparency Deliberations (QTD) reports and fora, managed by the Qualitative and Multi-Method Research (QMMR) section of the American Political Science Association and available here: https://www.qualtd.net I also rely on Buthe, Tim and Jacobs, Alan M. and Bleich, Erik and Pekkanen, Robert and Trachtenberg, Marc and Cramer, Katherine and Shih, Victor and Parkinson, Sarah and Wood, Elisabeth Jean and Pachirat, Timothy and Romney, David and Stewart, Brandon and Tingley, Dustin H. and Davison, Andrew and Schneider, Carsten and Wagemann, Claudius and Fairfield, Tasha, Transparency in Qualitative and Multi-Method Research: A Symposium (August 27, 2015). Qualitative and Multi-Method Research: Newsletter of the American Political Science Association's QMMR Section vol.13 no.1 (Spring 2015): 2-64. Available at SSRN: https://ssrn.com/abstract=2652097. Other sources are cited throughout.

I.   Methodology, Research Ethics, and Established Practice

I have situated the proposed project within the interpretive, rather than positivist, research tradition and employ ethnographic methods in service of the inquiry. **In this tradition, positionality and reflexivity are the core tenets, rather than replicability** (Schwendler et al. 2017). A different researcher, with different identity, networks, and practices would observe, note, interpret and analyze different themes, even if we both participated in the same ethnographic scenario. As Timothy Pachirat (2015, p. 29) writes, "the social world in which the researcher immerses, observes, and participates is already always co-constituted in intersubjective relationship with the researcher." In this case, therefore, the rigor of the research is judged not based on the ability to replicate, but on how convincingly the researcher has conveyed how she has positioned herself and how she has reflected on her research process throughout the research cycle. This includes her access strategies, her daily practices, her relationships, and her lines of sight in the field. I address strategies to fulfill this criterion in Section III of this memo.

Within this tradition, **de-identification is far more complex than merely removing the name, title, or institutional affiliation of my research participants** (Parkinson and Wood 2015)**.** These markers are not the only aspects of identity that sketch the lives of my interlocutors. To illustrate, the first question I ask state officials who work within bureaucracies of victimhood is how they arrived at this position. My research to date has shown that their answers often consist of detailed accounts of the violence they and their families have observed or experienced in ways that would be identifiable even if I removed the research participant's name, location, or professional title. These issues become even more pressing when my interlocutors are direct victims of violence or former combatants, or when referring to fieldnotes taken in conflict-affected areas.

This approach also **assumes that the researcher can always know what information might be potentially compromising for her interlocutors, which may not necessarily reflect shifting, dynamic senses of (in)security in the region** (Theidon 2009). As Parkinson and Wood (2015) note, this is a question not only at the time of releasing the data, but over the life cycle of the research participants: "There is often no way to know whether an activist who judges herself to be safe one day will be criminalized tomorrow, next month, or in five years. Those in this position may not be able to telephone or email a researcher in order to remove their name from a book or online database; they may not know until it is too late." (Parkinson and Wood 2015, p. 25)

As such, **a process of 'de-identifying' data would require extensive editing of my existing interview transcripts and fieldnotes in a way that would necessarily remove the core material that renders the project scientifically relevant,** while also potentially

still compromising the individuals at the heart of this research. Finally, releasing this type of data would put me at odds with existing standards and practices within political violence research that would risk delegitimizing both this project and me as a researcher (Fujii 2010; Scheper-Hughes 1995; Cramer 2015; Wood 2009; Cronin-Furman and Lake 2018; Parkinson and Wood 2015, Carbonetti 2016).

II.   Specific Risks to Research Participants

Conducting research in times of transition from violence is both feasible and important for understanding the questions of justice that this division of NSF is committed to funding (Nordstrom and Robben 1995; Malejacq and Mukhopadhyay 2016). However, it requires a broad understanding of vulnerability (Lake et al. 2017) and keen attention to shifting senses of security and risk (Arjona et al. 2017). Indeed, within NSF's own recent discussions of data access, anthropologist Lisa Cliggett noted "that some anthropological data could pose a potential threat to study participants, giving the examples of land claim disputes in rural communities or study participants who are engaged in illegal activities" (NSF 2016, p. 9).

In the case of the proposed project, while the Colombian peace accords were signed in 2016, **violence in the country is ongoing – and it specifically targets many of my research participants who are human rights defenders, victims of the violence, or former combatants.** Between January 2016 and February 2018, the Colombian Ombudsman registered 282 reports of assassinations of human rights defenders (El Espectador 2018), with many more cases unreported due to fear, lack of access, or lack of trust in state reporting authorities. Violence and threats of violence against FARC ex-combatants has been so severe that the newly-formed FARC political party suspended its presidential campaign.

A key pillar of my proposed research is to shed light on the violence that lives on after peace accords and the ways it affects justice claims and experiences. My interlocutors are keen to discuss these dynamics, but can only do so if our conversation will not put them at further risk. In this context, releasing transcripts that would be nearly impossible to de-identify meaningfully (see above) would enhance risk in an already precarious environment.

I am further concerned that obtaining meaningful, informed consent for this magnitude of disclosure would be challenging and that it would affect the conduct of the research itself. Ethnographic research functions on trust between researcher and research participants, a process that is continuously negotiated and affirmed over the course of the research (Theidon 2012; Pachirat 2011; Wood 2003). The range of disclosure

requested by NSF would present three specific challenges to this process. First, for some of my interlocutors who have not had any formal education or access to the internet, a "data depository" is not a concept that would translate in their daily lives in a way that would allow them to meaningfully consent to this process. Second, for interlocutors who do understand the concept, it can bear strong connotations of state surveillance or surveillance by foreign governments. This perception would be exacerbated by the fact (which I would have to disclose to my research participants as part of the required funding disclosure in the consent process) that it is a US government grant that requires me to share data in this way. Third, given that the research is already underway and that this is a dissertation improvement grant (as opposed to a start-up grant), I am interacting with very few interlocutors for the first time at this stage of the research. This type of disclosure would change the terms under which my interlocutors had consented to participate in the project in the first place, potentially jeopardizing the trust I have worked hard to build throughout my time in Colombia. All three scenarios contain risk for my research participants and would undermine the feasibility of the research, as well as my existing relationships in Colombia.

III.   Proposed Alternatives

Existing best practices in political violence research offer widely-accepted alternatives to the release of de-identified interview transcripts and fieldnotes that simultaneously fulfill the methodological imperatives of rigor and transparency. I therefore propose the following strategy in replacement of the requirement to release the de-identified transcripts and fieldnotes associated with my project:

- **Release of the codebook at the same time as I publicly release the dissertation (two years after successful completion):** I commit to publishing a detailed codebook two years after the successful completion of the dissertation and sharing it on a common use platform, including my website and a platform like OSF. The codebook would include a detailed discussion of both the inductive codes that I will use to analyze my data in Dedoose and the process by which I applied them. It will also discuss how I addressed dilemmas of applying multiple or contradictory codes to the same pieces of information (Schwendler et al. 2017). I will also endeavor to publish an article specifically explaining the process of codebook development and revision.
- **Release of a detailed methodological appendix within two years after the completion of the dissertation (potentially in conjunction with a monograph arising from this research).** Scholars who have faced similar ethical dilemmas regarding research in violent settings have adopted this approach to ensure that colleagues can appropriately evaluate their work and learn from their practices.

For an example, see Anastasia Shesterinina (2016) discussion of her ethics and practices in conducting fieldwork with participants and non-participants in the Georgian-Abkhaz war. These appendices detail, among others, (a) how the researcher negotiated initial and ongoing access to the field sites and research participants; (b) how the researcher engaged with questions of positionality throughout the research; (c) the types of questions the researcher directed at her interlocutors; (d) the daily practices of the researcher, and any notable deviations from those practices that may have affected the research; (e) an 'ethnographic sketch' of the main field sites, providing relevant context; (f) dilemmas and decisions the researcher faced around *not* recording or sharing certain types of data; (g) dilemmas and decisions the researcher faced around data coding, analysis, and write-up (Schwendler 2017; Pachirat 2015). Notably, this appendix may actually provide more information about the process and ethics of conducting the research than one would be able to glean from a de-identified transcript or stand-alone fieldnote.

- **Inclusion of key information from methodological appendix into the body of future publications, where possible.** In addition to publishing the appendix at an open access platform, I will endeavor to include the relevant information from it in my subsequent publications (e.g. books and journal articles). For an example of this type of integration, see Parkinson's (2016) discussion of her research practices, positionality, and ethics in studying the role of money discourses and networks in militant organizations in Lebanon. I will also endeavor to publish an article specifically devoted to the methods and ethics of my project that I can cite in subsequent publications.

- **Commitment to the dissemination practices outlined in my original DMP.** A key goal of the proposed research has been its use by stakeholders in the world of transitional justice policy and practice both within and outside Colombia. The existing dissemination practices, outlined in detail in my original DMP, fulfill this goal.

Thank you for your consideration of these concerns and for your ongoing commitment to research rigor, transparency, and ethics. I would be honored to be a recipient of this NSF grant and look forward to your response.

Works Cited

1. No Author/El Espectador. "ONU: Son 'alarmantes' los asesinatos de defensores Derechos Humanos en Colombia." *El Espectador*. March 7, 2018. Available at https://www.elespectador.com/noticias/paz/onu-son-alarmantes-los-asesinatos-de-defensores-derechos-humanos-en-colombia-articulo-743041.

2. Arjona, Ana, Zachariah Mampilly, and Wendy Pearlman. "Research in Violent or Post-Conflict Settings: Draft Report of QTD Working Group IV.2." August 20, 2017. Available at https://www.qualtd.net/viewforum.php?f=27.

3. Carbonetti, Benjamin C. "Research data and methods policy update for the Journal of Human Rights." *Journal of Human Rights* 15, no. 2 (2016): 157-162.

4. Cramer, Katherine. "Transparent explanations, yes. Public transcripts and fieldnotes, no: Ethnographic research on public opinion." *Qualitative & Multi-Method Research* 13, no. 1 (2015): 17-20.

5. Cronin-Furman, Kate, and Milli Lake. "Ethics Abroad: Fieldwork in Fragile and Violent Contexts." *PS: Political Science & Politics* (2018): 1-8.

6. Fujii, Lee Ann. "Shades of truth and lies: Interpreting testimonies of war and violence." *Journal of Peace Research* 47, no. 2 (2010): 231-241.

7. Lake, Milli, Samantha Majic, and Rahsaan Maxwell. "Research on Vulnerable and Marginalized Populations: Draft Report of QTD Working Group IV.3." August 13, 2017. Available at https://www.qualtd.net/viewforum.php?f=28.

8. Malejacq, Romain and Dipali Mukhopadhyay. "The 'tribal politics' of field research: A reflection on power and partiality in 21st-century warzones." *Perspectives on Politics* 14, no. 4 (2016): 1011-1028.

9. National Science Foundation. "Public Access to NSF-Funded Research Data for the Social, Behavioral, and Economic Sciences." May 17, 2016. Available at https://www.nsf.gov/sbe/reports/Public_Access_NSF_Workshop_Report_Final_Briefs.pdf.

10. Nordstrom, Carolyn, and Antonius CGM Robben, eds. *Fieldwork under fire: Contemporary studies of violence and culture*. University of California Press, 1995.

11. Pachirat, Timothy. *Every twelve seconds: Industrialized slaughter and the politics of sight*. Yale University Press, 2011.

12. Pachirat, Timothy. "The tyranny of light." *Qualitative and Multi-Method Research: Newsletter of the American Political Science Association's QMMR Section* 13, no. 1 (2015): 27-31.

13. Parkinson, Sarah E. "Money Talks: Discourse, Networks, and Structure in Militant Organizations." *Perspectives on Politics* 14, no. 4 (2016): 976-994.

14. Parkinson, Sarah Elizabeth, and Elisabeth Jean Wood. "Transparency in intensive research on violence: Ethical dilemmas and unforeseen consequences." *Qualitative & Multi-Method Research* 13, no. 1 (2015): 22-27.

15. Scheper-Hughes, Nancy. "The primacy of the ethical: propositions for a militant anthropology." *Current anthropology* 36, no. 3 (1995): 409-440.

16. Schwender, Jillian, Erica Simmons, and Nicholas Rush Smith. "Ethnography and participant Observation: Draft Report of Qualitative Transparency Deliberations Working Group III.3." August 25, 2017. Available at https://www.qualtd.net/viewforum.php?f=22

17. Shesterinina, Anastasia. "Collective Threat Framing and Mobilization in Civil War." *American Political Science Review* 110, no. 3 (2016): 411-427.
18. Theidon, Kimberly. *Intimate enemies: Violence and reconciliation in Peru*. University of Pennsylvania Press, 2012.
19. Theidon, Kimberly. "Reconstructing masculinities: The disarmament, demobilization, and reintegration of former combatants in Colombia." *Human Rights Quarterly* 31, no. 1 (2009): 1-34.
20. Wood, Elisabeth Jean. "Ethnographic research in the shadow of civil war." *Political Ethnography: What Immersion Contributes to the Study of Power* (2009): 119-42.
21. Wood, Elisabeth Jean. *Insurgent collective action and civil war in El Salvador*. Cambridge University Press, 2003.