Privacy and Research with Human Beings

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Social and psychological research generates three kinds of concerns about invasion of participants' privacy: that public exposure of their views and actions may have damaging consequences for them; that the procedures used to elicit information may deprive them of control over their self-presentation; and that the research may probe into areas that constitute their private space, overstepping the customary boundary between self and environment. The paper explores the psychological significance of preserving privacy in each of these three senses, the ways in which different kinds of research may threaten privacy in each case, the requirements for minimizing or counteracting such threats, and the conditions under which research representing a certain degree of invasion of privacy can nevertheless be justified.

Following Ruebhausen and Brim (1965), I shall refer to privacy as "the freedom of the individual to pick and choose for himself the time and circumstances under which, and most importantly, the extent to which, his attitudes, beliefs, behavior and opinions are to be shared with or withheld from others" (p. 1189). Social and psychological research with human beings, by its very nature, focuses on precisely such personal facts and feelings and thus inevitably runs the risk of invading the participants' privacy. Invasions of privacy occur to the extent that participants are unable to determine what information about themselves they will disclose and how that information will be disseminated.

We can distinguish three types of concerns about invasion of privacy, linked, respectively, to the substantive focus, the procedures, and the consequences of the research: (a) concern that the research may probe into areas that constitute participants' private space, overstepping the customary boundary between self

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and environment; (b) concern that the procedures used to elicit information may deprive participants of control over their self-presentation; and (c) concern that public exposure of the partici-pants' views or actions beyond the research setting itself may have damaging consequences for them. These three concerns are interrelated, but each helps us focus on a particular set of ethical issues.

For each concern, I shall ask: What is the psychological significance of preserving one's privacy in this particular sense (i.e., in the sense of maintaining one's private space, or controlling one's self-presentation, or avoiding public exposure)? How do different kinds of social and psychological research threaten this sense of privacy? How can these threats be minimized or counter-acted? And, insofar as some invasiveness of privacy remains, under what conditions—if any—can the research nevertheless be justi-fied?

I shall examine the three concerns in reverse order, corre-sponding to the increasing difficulty in resolving the ethical issues that arise as we move from concerns linked to the consequences of the research to those linked to its substantive focus.

PUBLIC EXPOSURE

Perhaps the most obvious concern about the potential inva-siveness of social and behavioral research is the fear that informa-tion revealed by the participants in the course of the research may be disseminated beyond the research setting itself. There are many circumstances under which individuals would rather avoid exposure of such information to the public at large or to particular others. The psychological significance of preserving privacy in this sense is simply to protect one's self against harmful consequences that exposure might bring about.

Threats Posed by Research

Research participants may be concerned that information they reveal might become accessible to "authorities" (in a specific institutional context or in a more diffuse sense) and thus subject them to possible penalties that these authorities have at their disposal. The clearest example would be information about illegal or questionable activities that might form the basis for legal action against them. Apart from legal considerations, individuals involved in an uneasy relationship with authorities are often concerned that any information about their private lives might be used against

them, even if they do not know exactly when and how. Thus, welfare recipients may be concerned that information about their sources of income and living arrangements could result in loss of welfare payments or at least in harassment by the welfare authorities. Such concerns are particularly significant because participants in social research are disproportionately drawn from the powerless and dependent elements of the society (Kelman, 1972), who are both more likely to come into conflict with authorities and to lack the resources for protecting their own interests.

Possible exposure to authorities is also a source of concern to participants in political research. In repressive societies, individ-uals are not only afraid to express deviant political opinions, but reluctant to discuss political issues at all since there is no way of knowing what positions might become suspect tomorrow and thus subject to penalties or harassment. Similar concerns about participating in research on political attitudes were found in the United States during the McCarthy period in the early 1950s and, more recently, in the aftermath of the Watergate-relat-ed disclosures of enemy lists and the use of government agencies to harass and spy on citizens.

Concern about uncontrolled dissemination to authorities is magnified when individuals know or suspect that data will be fed into centralized computers and thus be readily available to a variety of government agencies and perhaps private organizations (such as insurance companies or credit rating bureaus). Such concerns are justified since, in the absence of appropriate precau-tions, information fed into centralized computers becomes widely accessible, more susceptible to perpetuation of errors, and less subject to the participants' control.

Another source of concern among research participants is that information they reveal might become accessible to specific others in their daily environment with possibly damaging conse-quences to themselves. The concern is especially pronounced when these others occupy superior positions in a status hierarchy—such as management vs. blue-collar workers, officers vs. enlisted per-sonnel, institutional staff vs. inmates, teachers vs. students, or parents vs. children. Often, indeed, the research participants are recruited from the lower statuses in the hierarchy and are thus vulnerable to penalties from their superiors, who in turn are more closely tied to the sponsorship of the research or at least have readier access to the findings. Thus, research participants may be concerned that expressions of criticism of their superiors

or of their organization may subject them to direct or indirect reprisal. For example, factory workers interviewed about working conditions in their plant may fear being assigned to less desirable work shifts or passed over for promotion if their critical views were fed back to their superiors. Similar fears of reprisal may arise if the research elicited information about violations or evasions of rules on the part of respondents or about personal practices, associations, or opinions that they think might antagonize superiors.

Potentially damaging consequences include not only the risk of specific penalties, but also the possibility that public exposure may lead to disapproval and embarrassment. Thus, a research participant may feel that if some of his/her personal activities or private views about an associate became known to that person, they might undermine their relationship. Similarly, respondents may be concerned that public exposure of personal information might undermine their general reputation. For example, they may prefer not to broadcast how many professional books and articles they read per week (a question I had to answer in a recent survey), or how often they attend church, or how much money they contribute to charitable causes. They also may want to protect their answers to opinion questions, either because they are afraid of disapproval for holding deviant views or because they are embarrassed about opinions that they deem poorly structured and uninformed.

Minimizing Threats to Privacy

The requirements for minimizing threats to privacy which stem from wider public exposure with its potentially damaging consequences are fairly straightforward.

1. The investigator must be comprehensive and truthful in providing potential research participants with information about the possible uses of the data that might be material to their decision to participate in the study. Participants should be told who sponsors the research, to whom the findings will be reported, and who will have access to the data. They must be warned in advance if an individual's data will be accessible to anyone other than the investigator—such as employers, teachers, parents, or public agencies—or if, for any reason, the investigator cannot guarantee the confidentiality of the data. These disclosures enable participants to decide whether the risks of public exposure are within or beyond acceptable limits.

2. Once potential participants are aware of the risks of exposure, they must be free to decide whether they wish to take part in the research. Similarly, participants must be free to set limits to

the kinds of information they are willing to reveal as a condition of their participation. Investigators must eschew even the most subtle and indirect forms of coercion in soliciting participants and eliciting information from them. They must not capitalize on the coercive or semi-coercive context in which research is often conducted (such as total institutions, welfare agencies, or schools); they must avoid ambiguous implications that participation in the research is mandatory. This requirement takes on particular importance because it is precisely in such coercive contexts that participants are most concerned—and justifiably so—about the consequences of public exposure.

3. Investigators must scrupulously adhere to the guarantees of confidentiality that they have made to research participants. Names and other identifying information about specific participants must be removed from public or restricted reports, unless it was clear from the outset that such information would be made public. Investigators must also exercise care in storing their data so that they will not be accessible to outside parties. Beyond that, researchers should protect confidential information against the rare possibility of involuntary exposure resulting, for example, from forced entry into their files or from a court order to submit data about a particular individual. The best protection against such possibilities prevails when the sought-after information is simply not available, e.g., because the investigator avoids recording identifying information altogether, or destroys such information as soon as a respondent's file is complete, or separates such information entirely from the data themselves so that it becomes impossible to associate the names of individual participants with their data.

Confidentiality of Group Data

Far more difficult than maintaining the confidentiality of an individual's data is maintaining the anonymity of a group within an organization or community and thus protecting its members from possibly damaging or embarrassing consequences. In an industrial survey, for example, if data are presented separately for different organizational units, any given unit may be readily identifiable and thus subject to possible reprisals. Similarly, in reports of research on organizations, institutions, or communities (particularly when they take the form of case studies) it is often impossible to disguise the case sufficiently to prevent its recognition by many readers. The problem is exacerbated if it is common knowledge that data have been collected in a particular organization or community; to avoid such knowledge requires a degree of secrecy that might raise a host of ethical issues in its own right. To maximize confidentiality in such studies, investigators should do their best to disguise the organization

or community and especially subunits and individual members within it. Wherever possible, they should avoid presenting data for identifiable individuals and subgroups. At the same time, recognizing the difficulties in maintaining the anonymity of a group or organization, they must inform individual participants and appropriate spokespersons of the risks of disclosure when soliciting their cooperation. They should beware of promising a level of confidentiality that they cannot deliver.

In some organizational studies, public exposure (with or without the connotations of an exposé) is central to the purpose of the research. This would be so for evaluation studies and other forms of applied research designed to explore or assess the functioning of a particular social institution or social program. Such research, by definition, is not based on a contract of organizational confidentiality (although the investigator may be able to offer confidentiality to individual respondents). The ethical imperative here is that officers and members of the organization know that organizational anonymity cannot be maintained, so that they can guide themselves accordingly. If they have the option, they may decide to keep the organization out of the research. Sometimes they may not have that option—for example, because evaluation of the organization's functioning is legally mandated (in the case of a public organization) or mandated by a board of directors (in the case of a private one). Even in those cases, however, knowledge that information about the organization will be placed on the public record allows them to modulate their responses in ways that will protect their own and their organization's interests.

The ability of research participants to modulate their responses when they know they are being observed may frustrate the investigator's purpose of studying how an organization functions under normal circumstances. To counteract this problem, investigators sometimes arrange covert observation. Rosenhan (1973) and his collaborators, for example, gained admission to several psychiatric hospitals by pretending to have heard voices. They were thus able to observe, from the patient's vantage point, the process of psychiatric diagnosis and the hospital experience. Although they were interested in illuminating general institutional practices and their deleterious effects rather than in public exposure of specific institutions, it was difficult to maintain the anonymity of the hospitals involved, at least in professional circles. However, the covert entry of the researchers precluded the possibility of informing research participants of possible limits in maintaining their own or their organization's anonymity. Thus,

the participants were deprived of the opportunity to decide for themselves what risks of public exposure they were willing to tolerate. This is clearly an ethically troublesome invasion of privacy. Yet, in justification of such research, it can be argued that the hospital staff's actions vis-à-vis their patients are not protected by the right to privacy (i.e., that they represent publicly accountable behavior) and that the observations made in the Rosenhan study served the larger public interest.

Maintaining the confidentiality of group data becomes even more difficult in research which focuses not on specific organizations or geographically delimited communities and subgroups within them, but on large population groups and particularly on comparisons among such groups. For example, research comparing ethnic minorities and the majority population on various psychological or social dimensions may yield comparisons unfavorable to the minority group—often because of built-in biases in measurement, interpretation, or evaluation (Kelman, 1972). Publication of such biased findings may have damaging consequences for minority group members by reinforcing negative stereotypes and supporting social policies that are irrelevant or detrimental to their interests. To remove such risks entirely would mean to forgo all research that involves group comparisons. This solution is undesirable because it would rule out lines of research that may be not only scientifically significant but also socially useful, and that may in fact accrue to the advantage of the groups under study. Instead, I propose the following safeguards to minimize the negative consequences of group exposure:

1. Before deciding on a particular study involving group comparisons, investigators should carefully explore whether the likelihood of obtaining valid answers to their research question is sufficient to warrant the social risks. By this criterion it would seem advisable, for example, to forgo research at this time on genetic differences in intelligence among racial groups.

2. If they do proceed with the research, investigators should assure that the research design, sampling procedures, observation settings, and measurement instruments are free of systematic biases against any group under study. Consultation with group representatives is an essential part of this process.

3. When agreement to participate in the research is elicited, investigators should inform participants or their spokespersons of the kind of publication envisaged and of its possible consequences.

4. Special care must be taken—again after consultation with group representatives—that findings about the group are reported accurately, fairly, and with appreciation of the group's own culture.

Closely related issues—best described as invasion of cultural privacy—arise when investigators from one society carry out research in another. Problems may become especially acute when the societies are unequally powerful, as is frequently the case—for example, when American or European scholars carry out research in developing countries. In such situations, "the general concern with invasion of privacy is exacerbated by the fact that the researcher is a foreigner who will report his findings to other foreigners; the subjects can easily feel that they are being treated as specimens to be put on display before a curious audience that may denigrate their way of life because of insufficient understanding of it or sympathy for it" (Kelman, 1972, p. 1001). It would be unfortunate if these issues were to be resolved by discouraging or restricting research by outside investigators. Some risk in the invasion of cultural privacy is justified, in my view, by the great scientific and social benefits of free movement of investigators across national and cultural borders and of maintaining cross-cultural perspectives in social and behavioral research. The risks can be minimized by observing the aforementioned safeguards in choice of research topics, design and procedures of the research, solicitation of the participants, and reporting of findings (see also Tapp, Kelman, Triandis, Wrightsman, & Coelho, 1974). Negative consequences of cultural exposure are most effectively reduced and counteracted when there is a genuine partnership between the outside investigators and their local counterparts, and when there are opportunities for mutual exposure in contrast to the more typical one-way pattern in which the industrialized nations provide the investigators and the developing nations provide the subjects (Kelman, 1968b).

REDUCED CONTROL OVER SELF-PRESENTATION

Concern about the potential invasiveness of behavioral and social research focuses not only on the consequences of unwanted wider publicity, but also on the loss of control over one's self-presentation in the research situation proper.

Psychological Significance of Controlling Self-Presentation

A central preoccupation of participants in social interaction—as Erving Goffman, starting with his first book (1959), has particularly emphasized—is their self-presentation and impression management. The desired self-presentation is usually a mixture

of how we want to appear to others in general, to others in a particular category, and to the specific others with whom we are interacting at the moment. In each case, there are certain things about ourselves that we are eager to convey and other things that we prefer not to reveal. Thus, in the interest of effective management of our social transactions, it is important to us to maintain control over our self-presentation. Loss of control is tantamount to a deprivation of privacy in the sense that our freedom to pick and choose what information about ourselves we disclose and what information we withhold is restricted.

Our control over self-presentation is reduced when: (a) we are unaware of the conditions under which our behavior is being observed—because we do not know that we are being observed. or who it is that is observing us, or what constitutes the focus of observation; (b) we feel under pressure to reveal personal information that we would prefer to withhold; and (c) we are caught unawares, being confronted by a sudden crisis, or an unexpected and disturbing event, or a violation of social norms. These circumstances of reduced control represent ethically unacceptable invasions of privacy only insofar as they are produced by deliberately deceptive, coercive, or intrusive means.

Thus, an individual may be unaware that others are overhearing her candid conversation in a restaurant or catching him picking his nose on the bus. These observations may undermine their preferred self-presentations, but do not constitute invasions of their privacy. In engaging in these behaviors in public places, they are taking a calculated risk that such observations will occur and thus, in effect, are waiving their right to privacy (Thomson. 1975). On the other hand, observations obtained through secret entry into a person's private quarters or through the use of mechanical listening or viewing devices do constitute invasions of privacy; individuals are not expected to protect themselves against such observations as they go about their day-to-day affairs. Similarly, you may fail to create the desired impression because you are unaware that the person you are interacting with is. for example, of high status or particularly interested in your knowledge of jazz. An ethical violation occurs, however, only insofar as this person has deliberately misrepresented him or herself or misled you about the focus of the observation.

In certain social situations we may feel pressure to reveal personal information against our preferences, perhaps because a norm of intimate self-disclosure has somehow evolved or because one of the participants is given to asking direct, probing questions.

Ethical violations are involved, however, only insofar as the feeling of pressure stems from a false claim by the questioner that he/she is entitled (by virtue of position) to the personal information being sought; or from the use of coercive or intrusive tactics, such as threats, harassment, ridicule, or psychic manipulation. Finally, our control over self-presentation is reduced whenever we are caught unawares, finding ourselves in a situation in which we must respond spontaneously, immediately, or within severely restricted options. However we react, particularly in the presence of third parties, when confronted with a victim of an accident or epileptic fit, or with a panhandler, or with someone engaged in bizarre behavior, we are forced to reveal something about ourselves—about our competence, compassion, courage, authority, presence, or urbanity. The degree of control we have over our self-presentation is greatly reduced. The events engendering this reduction in control, however, constitute ethically objectionable invasions of privacy only insofar as they are deliberately intrusive and can be characterized as harassment or public annoyance.

In short, any reduction in control over our self-presentation is experienced as a loss of privacy, but such experiences are inevitable concomitants of social interaction. Whether they raise ethical—and indeed legal—issues of unwarranted invasion of privacy depends on the means by which the reduction in control is brought about. Thus, at least with respect to privacy in the sense of control over one's self-presentation, I subscribe essentially to Thomson's (1975) view that the right of privacy is "derivative". An action that limits other persons' control over their self-presentation constitutes a violation of their right to privacy only when it violates some *other* right in the process.

Threats Posed by Research

The concern about control over one's self-presentation in behavioral and social research derives from the same psychological and ethical considerations that I have raised with respect to interpersonal relations in general. In their interactions with the investigator, the research participants are at least as concerned about the impressions they make as they are in their other interactions. Since participants often see the investigator as a person with high status and education, with psychological insight, and with an interest in evaluating their behavior, they may be particularly anxious to avoid appearing ignorant, neurotic, or reactionary. Thus, it is clearly important to them to maintain

control over their self-presentation. At the same time, the investigator is usually interested in circumventing their efforts at control and penetrating their facades. While this interest is not ethically objectionable per se—and is indeed a feature of normal social interaction—it introduces a potential source of conflict. As in social interaction generally, actions designed to constrain another's self-presentation in research contexts become ethically questionable invasions of privacy insofar as they employ deliberately deceptive, coercive, or intrusive means. I shall examine some of the threats to privacy posed by each of six types of research procedures.

Participant observation. Perhaps the most serious threats to privacy arise in participant observation studies in which investigators gain access to private information by misrepresenting their relationship to the group under study. One controversial example of such research is Humphreys's (1975) study of male homosexual activities in public restrooms. He was able to make his observations by posing as a "watchqueen" or lookout, an accepted and necessary role in the "tearoom trade," which uses a legally public setting for illegal acts that participants wish to keep private. He also managed to record the automobile license numbers of a sample of the the men he observed, to trace the owners of the automobiles through police license registers by posing as a market researcher, and to interview the men a year later by adding them to the sample of a larger health survey. Through this series of misrepresentations he gained access to the participants' deviant behavior, which they would not have revealed to an outsider, and subsequently to their homes and "straight" lives, from which they would have excluded fellow participants in the tearoom trade.

Other examples of participant observation research that raises serious ethical questions are studies in which the investigators join an organization in order to make observations without informing the members of the purpose of their involvement (e.g., Festinger, Riecken, & Schachter, 1956). As a result, members are induced to say or do things in their presence that they may wish to reserve for fellow members, particularly if they are intent on keeping all or part of their activities secret. By pretending to be a member, the investigator deprives them of control over what to reveal or not to reveal to a nonmember. Unacknowledged observations by an individual who is a genuine member are considerably less problematic, as long as they focus only on activities in which he/she participates as part of the normal membership role. The possibility that someone in the group might eventually

write up their experiences—in a novel or a memoir, if not in a social-science monograph—is one that group members must always reckon with. Although it would be ethically more desirable if the investigators acknowledged their research interest, the major ethical concerns about privacy in this case revolve around the way in which the observations are subsequently used.

Even when participant observers acknowledge their research interest and are accepted on that basis, certain ethical problems arise. These are traceable to the ambiguities inherent in the participant observer role, which often lead group members to accept the observer and to lose their inhibitions in his/her presence. They may thus reveal information that they prefer to keep private, because they have learned to ignore the observer and have thus lowered their guard. However, by agreeing to give the investigator access to their activities, they have in effect waived their right to privacy. Ethical problems arise only "when the observer deliberately takes advantage of the ambiguity of his role to seduce group members to give him information that they might not have revealed otherwise. This would happen, for example, if by implying a greater level of commitment to the organization than he actually felt, he gained access to esoteric knowledge or to the inner circle of organizational decision making" (Kelman, 1972. p. 998).

Entry and observations obtained under false pretenses can be justified more readily if the situation observed is in principle subject to public scrutiny. Such justifications are particularly persuasive when, as in Rosenhan's (1973) and other pseudo-patient studies, the research is undertaken to increase the accountability of public institutions vis-à-vis their relatively defenseless clients. Clearly, Rosenhan's deception deprived the hospital staff of the opportunity to control their self-presentations (as well as of the opportunity, already discussed, to decide what risks of public exposure they are willing to tolerate). But there is merit in the argument that the right to privacy does not cover the hospital staff's treatment of patients, which is legitimately a matter of public scrutiny. Staff members have in effect waived that right by virtue of adopting their professional and institutional roles. Thus, unacknowledged observations in this situation are less invasive than they would be in a clearly private domain. A serious ethical problem remains, however, in the use of deliberate misrepresentation to obtain these observations. In implicitly waiving their right to privacy, the hospital staff had no reason to expect that their performance would be monitored by pseudo-patients. In

justification of the misrepresentation, it may be argued that it serves the larger public interest, but in this respect pseudo-patient studies are not qualitatively different from other research that uses deception or misrepresentation.

There is serious question whether deliberate misrepresentation can ever be justified in research (Warwick, 1973, 1975). If it is to be condoned under certain very restricted circumstances, as I still believe, then it must confront a number of basic questions. Under what conditions can investigators even consider the use of deception? (For example, I would propose that one necessary—though not sufficient—condition for even considering the use of deception is that it is crucial to obtaining valid observations; by contrast, deception is not permissible if it is designed to circumvent informed consent by withholding information—e.g., about potentially adverse effects—that might be material to a subject's decision to participate.) What benefits of the research (e.g., in terms of public interest or scientific value) can serve to justify the use of deception? Who determines the acceptable cost/benefit ratio in a given case, by what procedures, and according to what criteria? What limits must be imposed on the degree and type of deception permitted? What safeguards can be instituted to contain the use of deception in research generally and to minimize adverse effects in a particular case? The misrepresentation by which pseudo-patients gain access to their observations must be evaluated within this larger framework, even though the observations themselves focus on what is essentially public behavior.

Unobtrusive observation. In participant observation research, subjects' control over self-presentation is reduced primarily because they are unaware of the status and purposes of the observer. In research using unobtrusive observation, the subjects are unaware of being observed at all. Thus, clearly, they are deprived of the opportunity to manage their self-presentation. The extent to which such unobtrusive observations constitute ethically objectionable invasions of privacy depends on the context in which the observations are made. The clearest violation occurs when persons are secretly observed in a situation that, for good reason, they assumed to be private (e.g., a toilet; see Middlemist, Knowles, & Matter, 1976). Thus, hidden observers or listeners are deliberately invasive, particularly when they use mechanical devices to extend their vision or hearing without the subject's knowledge. Examples of such devices are one-way mirrors, hidden recorders, or the periscopic prism—used by Middlemist et al. (1976)—im-

bedded in a stack of books on the floor of a toilet stall. It should be noted that concern over invasion of privacy in the Middlemist study focuses partly on reduced control over self-presentation, but even more so on the violation of private space (discussed below).

Unobtrusive observations that focus on naturally occurring events in public situations—such as on people's behavior on the street, in the subway, in a store or restaurant, at a football game—are considerably less problematic. In such situations, as I indicated above, people in effect waive their right to privacy, taking into account the possibility that their behavior will be observed by others. The right to privacy is not completely relinquished, however. Social norms set limits to the kinds of observations that are permissible even in public situations. Thus, while the two people seated in a restaurant must expect the possibility that their conversation will be overheard, they are entitled to object if someone deliberately positions him or herself right next to their table and listens in on them, or uses a listening device from the adjacent booth. Similarly, even in a public restroom, individuals have the right to expect that they will not be deliberately stared at or watched through a periscope. Social research that oversteps these norms, which are designed to secure areas of privacy in public situations, is invasive. However, when investigators make systematic observations of public behavior that would be accessible, without violating social norms, to anyone else who took the trouble to look, they cannot be considered unduly invasive.

There is one respect in which even such observations may be deemed more invasive than those made by ordinary passersby. People know that their behavior in public situations is potentially observable and must take this possibility into account. What they do not know is that the potential observer is not a random passerby, but a social scientist who is systematically focusing on a particular dimension of behavior. If they knew that certain acts were under scrutiny—and, especially, if they knew that the frequency of these acts was being counted and their intensity rated—they might well behave differently, or stop what they were doing, or try to leave the field. (This is the reason, of course, that unobtrusive observations yield more valid results in such cases.) In short, observations by social scientists may be of greater concern to people than those by ordinary passersby; thus, the investigators' failure to inform subjects of the fact, the nature, and the purpose of their observations may lead to a consequential reduction in the subjects' control over self-presentation. Nevertheless, it is in

the nature of public behavior that it is open to observation by a variety of people for a variety of purposes. Observations of naturally occurring behavior by social scientists are continuous with those made by novelists, journalists, travel writers, or moralists and are equally legitimate, as long as they remain free of deliberate deception and intrusion.

Field experiments. New issues arise when the investigator makes unacknowledged observations after having deliberately introduced certain experimental manipulations into the natural setting. This is the procedure used in many of the field experiments that have become popular among social psychologists in recent years (Kelman, 1972). Typically, research participants are not informed that they are subjects in an experiment, even after the observations have been completed. Rather, they are led to believe that the request made of them by the experimenter/stranger or the incident unfolding before their eyes is one of those happenings that one occasionally encounters when venturing out in public. Indeed, this *is* a public situation and the experimental manipulation is the kind of experience that could and sometimes does come up in the natural course of events. Moreover, subjects are generally aware that their reactions are being observed. Yet control over self-presentation is considerably reduced in this situation by means that are ethically questionable.

In most field experiments of the genre described here, the experimenters deliberately misrepresent themselves. They pretend to be a customer, or a commuter, or a person in distress, or someone asking for information, assistance, financial contributions, or signatures to a petition. If subjects knew the true identity of the stranger and knew that they were, in effect, being put to a test, they might react differently. For example, when confronted with a request for help, subjects may show themselves to be harsh and indifferent when the experimenter poses as a low-status figure, or servile and spineless when he/she poses as a high-status figure—sides of themselves that they may have chosen not to reveal had they known the person's true status. The fact that these undesired revelations may reflect character flaws or reprehensible values on the part of the subject does not entitle the investigator to elicit them through misrepresentation. Whether and under what conditions this kind of misrepresentation can be justified depends on the considerations mentioned above in the discussion of pseudo-patient studies.

Experiments in natural settings further reduce subjects' control over their self-presentation by catching them unaware—e.g.,

by confronting them with a sudden crisis, an unexpected and disturbing event, or a violation of social norms. As in normal social interaction, such confrontations become ethically objectionable invasions of privacy to the extent that they constitute deliberate intrusion, harassment, or annoyance. In studies in which some minor variations are introduced in an ongoing public activity (e.g., by varying the sex, race, appearance, or dress of a person distributing leaflets on a street corner or looking for a seat on the subway), the intrusion, as well as the deception, are relatively mild, since the experimental manipulations fall within the range of the subjects' ordinary experience (Campbell 1969). The picture is very different, however, in experiments confronting subjects with dramatic events that compel them to take a stand—such as a feigned accident or heart attack, or persistent and bizarre demands from a stranger. Such an event may well be a source of considerable inconvenience, annoyance, and conflict for the subjects. It inevitably creates for them a dilemma of self-presentation, since they are forced to respond—with little room to maneuver—in ways that are bound to yield important revelations about themselves. To be sure, there is always the possibility that individuals might face such disturbing and self-revealing experiences in the natural course of events. However, if they were deliberately instigated, for whatever reason, they would be considered ethically—and often legally—unacceptable forms of intrusion, harassment, or annoyance. By the same token, when they are deliberately staged for research purposes, they become objectionable and—at least according to some interpretations—illegal invasions of privacy (Silverman, 1975).

Laboratory experiments. In general, problems of invasion of privacy are less severe in experiments carried out in the laboratory as compared to those carried out in natural settings, because participants know that they are being observed. They are thus in a better position to maintain control over their self-presentations. Their control is reduced, however, to the extent that they are deceived about the purposes of the experiment—which is precisely why experimenters (in the interest of obtaining more valid observations) often resort to deception. In the typical deception experiment, subjects know that they are being observed and who is observing them, but they do not know what is the focus of these observations. In most cases, the experimenter may not be obligated to provide this information, since subjects have in effect waived their right to privacy by agreeing to participate (assuming, of course, that their participation is voluntary). As with field

experiments, ethical problems remain, however, insofar as subjects are deliberately misinformed (Kelman, 1968a).

Subjects' control over their self-presentation is further reduced when, in the course of the experiment, they are exposed to disturbing experiences or to instructions that violate common expectations, as in Milgram's (1974) obedience research. In Milgram's experiments, the urgent pleas of the "learner" and the unanticipated reaction of the experimenter confront the subjects with moral conflicts and dilemmas of self-presentation similar to those arising in the more intrusive field experiments. Lacking precedents and guidelines, they may be induced to reveal sides of themselves that they would prefer to keep hidden from others—and indeed from themselves. Such experiments become ethically questionable to the degree to which the subjects' experiences and self-revelations are of a potentially disturbing nature. The problem is exacerbated by the use of deception, which deprives subjects of the opportunity to decide for themselves how much stress they are, willing to risk. Serious ethical issues may arise, however, even in the absence of deliberate deception. In the controversial prison-simulation study by Zimbardo, Haney, Banks, and Jaffe (1974), subjects were accurately informed about the nature of the study for which they volunteered, although neither they nor the investigators anticipated how stressful the experience would turn out to be. The structure of the situation caused many participants to lose control over their own behavior and to act in ways that deviated from their self-concepts and their desired self-presentations. Even when investigators obtain informed consent, ethical objections can legitimately be raised against studies that induce highly disturbing self-revelations with potentially damaging psychological residues.

Questionnaires and tests. Studies employing questionnaires and psychological tests are similar to laboratory experiments in that the respondents usually know that they are being observed and by whom, but often do not know precisely what is being observed. When the measurement instruments deliberately (and successfully) disguise the dimensions of concern—through the use of indirect questions or projective tasks—in order to circumvent respondents' tendency to give responses they consider socially approved and mentally healthy, respondents may unknowingly reveal information about themselves that they would prefer to withhold. Nevertheless, these procedures are not unduly invasive, as long as the respondent freely agreed to answer the questions even though the investigator provided only minimal or vague information about

the dimensions under scrutiny. More serious ethical questions arise when the respondents are subjected to direct or subtle pressures to participate or are deliberately misinformed about the purposes of the research.

Interview studies. In opinion surveys and other studies employing personal interviews, as in questionnaire studies, the investigator does not always give the respondent complete information about the study and may ask questions that are indirect or not obviously related to the topic of the interview. While such procedures limit the respondent's knowledge of what is being observed, they are generally within the terms of the contract formed when the respondent agreed to be interviewed—assuming that the interviewer did not deliberately misrepresent the overall purpose of the survey or the organization conducting it.

The interpersonal aspects of the interview situation may further reduce the respondents' control over their self-presentation by creating subtle pressures to reveal information they might prefer to withhold. Some pressures may manifest themselves at the point at which the interviewer appears at the respondent's doorstep. In rare cases, the pressure may be due to clearly unacceptable misrepresentation: The interviewer may state or imply that he/she represents an official agency rather than a private research organization, or that he/she is conducting academic rather than market research. Usually, however, the pressures are simply part of the dynamics created by a face-to-face request. Respondents may prefer not to be interviewed at all, because they are afraid of making a poor impression—by showing themselves to be poorly informed or to have opinions that are poorly structured or disapproved by the interviewer. Yet they may feel uncomfortable about refusing the interviewer's request; the refusal itself might place them in a bad light, because it would reveal both discourtesy and lack of savoir-faire.

Once the interview is under way, respondents may be faced with specific questions that they would prefer not to answer, because they feel embarrassed about their opinions or lack of them. But, though technically free to refuse, they may feel under pressure to respond. Failure to do so would itself place them in an embarrassing position, since they would be both violating the implicit contract set up by an initial agreement to participate and revealing something about their areas of sensitivity or ignorance. Clearly, the interview situation reduces the respondent's control over self-presentation. In most cases, however, the felt pressures are very similar to those commonly experienced in

normal social interaction. They become ethically objectionable only when the interviewer uses coercive and manipulative tactics to induce the respondent to participate or to answer specific questions in the course of the interview.

Minimizing Threats to Privacy

The issues of privacy in the sense of control over one's self-presentation are more difficult to resolve than those relating to protection against public exposure. The potential threats to privacy here are integrally linked to the research procedures themselves—procedures such as unobtrusive measurement or deceptive experimentation. Indeed, we confront an inherent conflict between the concerns of the research participants and the goals of the investigator: The participants wish to maintain control over their self-presentations, while the investigator often has to circumvent these self-presentations and probe beneath them in order to obtain valid information about the subjects' motives, attitudes, or behavior patterns. Thus, ethical practice requires more than the introduction of safeguards to minimize threats to privacy, as discussed in the section on public exposure. Often, the issue is whether investigators must abandon altogether a research procedure that they deem most valid and appropriate for their purposes because of the ethical problems it presents. Sometimes, forgoing a particular procedure is tantamount to abandoning a whole line of research. Clearly, this is an option that must be contemplated under certain circumstances. Most would agree that certain lines of research cannot be pursued, no matter how great their potential contribution to science or human welfare, because they entail excessive risk of physical harm to the subjects. By the same token, certain lines of research cannot be pursued because they entail excessive invasion of privacy.

The right to control one's self-presentation in social interaction is not nearly as absolute, in my view, as the right to confidentiality of information given in private. As I have already emphasized, the mere fact that a procedure reduces subjects' control over their self-presentation does not characterize it as an impermissible invasion of privacy; ethical evaluation depends on the particular means by which self-presentation is constrained. Many research procedures are only mildly invasive—well within the range of everyday experience—and there is general consensus that their use is justified. Procedures that exceed acceptable limits have already been identified and are summarized in the following set of requirements:

1. Investigators must avoid deliberate intrusions, without prior consent, into settings and activities that people have a right to consider private. Observations that are fully justified in public situations are unacceptable in private ones. Thus, the line between public and private, though often hard to draw, must be scrupulously respected.

2. Investigators must avoid deliberate misrepresentation of themselves, their auspices, and their purposes. Even when deception, in the interest of assuring valid observations, is condoned by current practice, its use must be narrowly circumscribed and surrounded by strict safeguards. Among other things, prior review committees authorized to approve such procedures must include representatives of the larger public and particularly of the population from which the intended subjects will be drawn. In the long run, it would be desirable to phase out entirely procedures that call for deliberate misrepresentation of any kind, as urged by Warwick (1975).

3. Investigators must avoid procedures that are deliberately disturbing and shocking to subjects and present them with severe conflicts and dilemmas of self-presentation. A good rule of thumb to follow, in determining the acceptability of a procedure, is to imagine a situation in which the same procedure is deliberately used for purposes other than research. If it is ethically objectionable or subject to legal charges in other situations, then there is a strong presumption that it is also unacceptable as a research procedure.

4. Finally, investigators must avoid procedures that deliberately pressure subjects, through direct or subtle means, to participate in a study. Similarly, in the course of the research, they must refrain from pressuring subjects to reveal information they would prefer to withhold, or to continue participation when they wish to withdraw.

VIOLATION OF PRIVATE SPACE

Privacy has a third function, which is related to but goes beyond control over self-presentation. That function focuses on our ability not only to manage the impressions we make on others, but to preserve the sense of an autonomous self. Such a sense of self depends on our maintaining a recognized boundary between self and environment, thus assuring a private space, both physical and psychological.

Psychological Significance of Private Space

The significance of a private space for secure identity and autonomous functioning becomes clear when one studies situations in which this space is systematically violated. Excellent descriptions of this experience can be found in Goffman's (1962) account of the processes of mortification of self that occur in total

institutions. One form of mortification is what he calls "contaminative exposure," a process that typically begins with admission to a total institution:

> On the outside, the individual can hold objects of self-feeling—such as his body, his immediate actions, his thoughts, and some of his possessions—clear of contact with alien and contaminating things. But in total institutions these territories of the self are violated; the boundary that the individual places between his being and the environment is invaded and the embodiments of self profaned. (p. 23)

A central consideration in maintaining private space is the inviolability of our own bodies and our personal possessions. Thus, rape and assault not only do physical damage but are fundamental attacks on the victim's sense of selfhood. Similarly, people whose homes have been burglarized are disturbed not only by the loss of property but by the idea that strangers have rummaged through their intimate possessions and thus intruded on their private space. We feel that our private space has been violated, to varying degrees, when others touch us against our wills, when they try to control what we take into or pass from our bodies, or when they observe us in bodily functions such as elimination or sexual activity.

Observations of sexual activity are considered violations of private space because they intrude not only on a bodily function but also on an intimate relationship. The inviolability of certain relationships—such as those between lovers, between friends, and between a person and his/her physician, attorney, or priest—is another central consideration in maintaining private space. Not only observation but also persistent questioning about such relationships oversteps the desired boundaries between self and environment.

Other elements of private space are biographical facts and personal thoughts. Thus, people may feel intruded upon when questioned about their family affairs, their financial status, or their past histories (particularly about traumatic experiences or unsavory details of their pasts). Similarly, questions about one's personal fantasies, religious beliefs, or political opinions may to varying degrees be experienced as violations of private space. In all of these situations, individuals' control over their self-presentation is reduced. Their concern, however, focuses on their capacity, not only to manage the immediate social interaction, but also to maintain the integrity and autonomy of the self.

If private space is as closely linked to the development of an autonomous self as I am proposing, then concern about its preservation should manifest itself in some fashion in all cultures.

However, cultures differ in the amount of private space they make available to their members and probably in the emphasis their members place on the preservation of private space. Furthermore, the particular domains of action and thought that constitute a person's private space vary across cultures, just as they vary across individuals within a given culture, and across time for the same individual.

Threats Posed by Research

In behavioral and social research, concern about violation of private space focuses on those domains that are salient in the particular cultural context in which the research is carried out or evaluated. In our own as well as in other cultures, research is often considered unduly invasive when observations or questions dwell on some of the elements of private space mentioned above—that is, certain bodily functions, intimate relationships, biographical facts, or personal thoughts.

Some critics consider research on these topics unacceptable regardless of how it is carried out. In this view, certain domains of thought and action are off-limits to the investigator; observations and questions within these domains represent, by their very nature, violations of private space. For example, studies of sexual behavior (based on observations, as in Masters and Johnson, 1966), of romantic love (based on interviews of couples), or of parent-child relations (based on questionnaires completed by the children) have been attacked on the categorical grounds that these are private, sacred areas into which investigators have no right to inquire—with or without informed consent.

More frequently, when research generates concern about violation of private space, it is not simply because the investigators explored a particularly sensitive topic, but because they did so in a particularly intrusive way. Thus, most criticisms of Humphreys's "tearoom trade" research (e.g., Warwick, 1973) emphasize the fact that he gained access to his subjects' private space without their consent—through misrepresentation and surreptitious means. Similarly, Koocher (1977) criticizes the Middlemist et al. (1976) study because it observed bathroom behavior secretly and without prior consent. In both cases, critics convey the feeling that there is something unseemly about watching these behaviors per se, but their primary charge is that—in the absence of informed consent—these observations were tantamount to spying. They also point out that subsequent discovery that they had been systematically observed in these situations

might be upsetting and perhaps damaging to some of the subjects. Misrepresentation, secret observation, and failure to obtain informed consent are ethically objectionable under any circumstances; however, when they are used to gain entry into people's private space, they become particularly troublesome—and potentially damaging to those whose privacy has thus been violated.

Similar issues arise in research probing personally sensitive topics through interviews or questionnaires. Without categorically rejecting research on such topics, critics can be concerned about particularly intrusive ways in which the research may be carried out. When investigators fail to provide fully informed consent, pressure subjects to participate or to reveal more information than they are prepared to reveal, make it difficult for them to withdraw from the research, confront them with shocking and embarrassing questions, or are inattentive to signs of stress, they are clearly engaged in conduct that is ethically questionable. Such conduct becomes particularly unacceptable when the research focuses on topics that respondents conceive to be within their private space.

Minimizing Threats to Privacy

The issues of privacy in the sense of preservation of private space are even more difficult to resolve than those relating to control over self-presentation. They touch the very heart of behavioral and social research, which by its nature runs a certain risk of intrusion. Research about human behavior and social processes inevitably inquires into matters that at least some individuals, some groups, or some societies place within the boundaries of private space. The issue is not merely whether certain procedures can be utilized in view of their invasive quality, but whether certain broad substantive areas—such as sex, personal health, death, religion, ethnicity, politics, money, and family relations—can be investigated at all because of their potential sensitivity. A blanket prohibition or systematic avoidance of these topics, or of others that might conceivably touch on sensitive private matters, would destroy or trivialize social research. Thus, how we resolve the issues surrounding the protection of private space ultimately bears on the creativity, the meaningfulness, and indeed the viability of the research enterprise as a whole.

In my own view, any resolution that categorically excludes certain substantive areas as suitable subjects for research is undesirable. A social science that is unhampered by taboos and free to explore all areas of social life can increase our capacity to

control our lives, to solve social problems, to enhance individual freedom, and to improve the human condition. These potential benefits outweigh the risk that opening certain areas to research may on occasion cause violations of private space. Often, indeed, there is a direct relationship between the taboo character of a topic and the social benefits derived from opening it up to investigation. Research on sex may help to create an atmosphere conducive to more satisfying and creative sexual relations; research on death may help people prepare for death more realistically and die with greater dignity; research on parent-child relations may help uncover ineffective and harmful practices of child rearing; research on religious and political beliefs may counteract the effects of oppressive institutions. Avoidance of research on such topics may be part of a general trend within the society to avoid confronting certain problems and subjecting them to serious thinking and debate. Sometimes, in fact, those who insist on keeping a topic off-limits have a vested interest in preventing new thinking and open debate.

In our efforts to minimize violations of private space resulting from social research, we must keep in mind that what constitutes private space differs for different individuals, groups, and cultures, and changes greatly over time. Observations and questions that would be considered unduly intrusive by some people at certain times and places may well be unobjectionable under other circumstances. This variability provides a further argument against a policy of categorical exclusion of certain topics from the agenda of social research. Such a policy would turn certain parochial misgivings into universal constraints. This same variability, however, cuts both ways. It reminds us that observations and questions that may be completely unobjectionable to most individuals in a given culture may be considered unduly intrusive by a minority in that culture or by a majority in another culture. Thus, while I am against the categorical avoidance of any topic, I also see a need for great care and sensitivity in deciding when and how to investigate an area that might conceivably form part of private space for the particular individual, group, or culture to be studied.

To avoid violations of private space, researchers must make the same kinds of choices and take the same kinds of precautions as those described in the preceding section. These requirements are even more urgent in the present case since both control over self-presentation and preservation of private space are at stake for the subject. Thus, invasions of privacy in this context may

represent threats to the integrity and autonomy of the self. The requirements for avoiding such invasions can be summarized as follows:

1. Social and behavioral scientists must be alive to the fact that their research often approaches subjects' boundaries between self and environment, and that maintenance of such boundaries is central to each person's sense of an autonomous self. They must keep in mind that the precise location of these boundaries—and hence the extent and content of private space—differ across individuals, groups, and cultures. There is always the possibility that inquiries that present no problems to some subjects may be experienced as violations of private space by others.

2. Before undertaking a particular piece of research, investigators must ascertain whether it touches on areas of personal sensitivity for the population to be studied. To do so generally requires consultation with individuals knowledgeable about and drawn from that population. Information obtained through these efforts must enter into investigators' decisions about whether and how to proceed with the research. If they are unable to assure adequate protection against violations of private space, they should forgo the research. If they decide to proceed, they must carefully plan the steps they will take to avoid such violations. These ethical decisions presuppose an analysis of the probable reactions of subjects that is as careful and empirically sound as the analyses on which we base our methodological decisions.

3. In research that enters into what subjects may consider their private space, investigators must be especially meticulous in obtaining fully informed consent. They must avoid even subtle pressures on individuals to participate in the research and must allow them to decline participation without fear or embarrassment.

4. Once the research is in progress, investigators must avoid pressuring subjects to go further in revealing personal information than they seem prepared to go, or to continue their participation when they ask to be released. Again, they must make it possible for subjects to withhold information or to withdraw from the research without fear or embarrassment.

5. Investigators must move cautiously when confronting subjects with questions or experiences that they might find shocking or embarrassing and that might leave them with the feeling that they have been suddenly exposed or violated. Since such reactions cannot always be avoided, investigators must be attentive to signs of stress in their subjects and sensitive to messages that their boundaries have been overstepped. They must be prepared to pull back at that point and, if necessary, to end the procedure. Finally, they must be prepared to deal appropriately with negative reactions experienced by their subjects during or after the research encounter. Although these requirements take on special importance when

the research touches on areas of personal sensitivity, they actually apply to all research with human beings. Perhaps this is another way of saying that all such research potentially penetrates the private space of at least some of its participants. More generally, behavioral and social research, by its very nature, has a potentially intrusive quality. At the microlevel, it is a form of social interaction that often tries to elicit private information or observe unguarded behavior. At the macrolevel, it contributes to expanding the areas of human activity that are exposed to public scrutiny. These features of social research are not only justifiable but to a considerable extent positive in their impact; they certainly do not in themselves constitute an ethically objectionable invasion of privacy. Yet they do lend an element of ambiguity to social research as a social process, and even those of us who consider social research to be primarily a liberating force must always keep that ambiguity in mind.

REFERENCES

Campbell, D. T. Prospective: Artifact and control. In R. Rosenthal & R. L. Rosnow (Eds.), *Artifact in behavioral research*. New York: Academic Press, 1969.

Festinger, L., Riecken, H. W., & Schachter, S. *When prophecy fails*. Minneapolis: University of Minnesota Press, 1956.

Goffman, E. *The presentation of self in everyday life*. New York: Doubleday-Anchor, 1959.

Goffman, E. On the characteristics of total institutions. In *Asylums: Essays on the social situation of mental patients and other inmates*. Chicago: Aldine, 1962.

Humphreys, L. *Tearoom trade: Impersonal sex in public places* (Enl. ed.). Chicago: Aldine, 1975.

Kelman, H. C. *A time to speak: On human values and social research*. San Francisco: Jossey-Bass, 1968. (a)

Kelman, H. C. Social psychology and national development: Background of the Ibadan Conference. *Journal of Social Issues*, 1968, 24 (2), 9-20. (b)

Kelman, H. C. The rights of the subject in social research: An analysis in terms of relative power and legitimacy. *American Psychologist*, 1972, 27, 989-1016.

Koocher, G. P. Bathroom behavior and human dignity. *Journal of Personality and Social Psychology*, 1977, 35, 120-121.

Masters, W. H., & Johnson, V. E. *Human sexual response*. Boston: Little, Brown, 1966.

Middlemist, R. D., Knowles, E. S., & Matter, C. F. Personal space invasions in the lavatory: Suggestive evidence for arousal. *Journal of Personality and Social Psychology*, 1976, 33, 541-546.

Milgram, S. *Obedience to authority*. New York: Harper and Row, 1974.

Rosenhan, D. L. On being sane in insane places. *Science*, 1973, 179, 250-258.

Ruebhausen, O. M., & Brim, O. G., Jr. Privacy and behavioral research. *Columbia Law Review*, 1965, 65, 1184-1211.

Silverman, I. Nonreactive methods and the law. *American Psychologist*, 1975, 30, 764-769.

Tapp, J. L., Kelman, H. C., Triandis, H. C., Wrightsman, L. S., & Coelho, G. V. Continuing concerns in cross-cultural ethics: A report. *International Journal of Psychology*, 1974, 9, 231-249.

Thomson, J. J. The right to privacy. *Philosophy and Public Affairs*, 1975, 4, 295-314.

Warwick, D. P. Tearoom trade: Means and ends in social research. *Hastings Center Studies*, 1973, 1 (1), 24-38. (Reprinted in Humphreys, 1975.)

Warwick, D. P. Social scientists ought to stop lying. *Psychology Today*, September 1975, pp. 38-40; 105-106.

Zimbardo, P. G., Haney, C., Banks, C. W., & Jaffe, D. The psychology of imprisonment: Privation, power, and pathology. In Z. Rubin (Ed.), *Doing unto others*. Englewood Cliffs, N. J.: Prentice-Hall, 1974.