

# Upholding “Colonial Unknowing” Through the IRB: Reframing Institutional Research Ethics

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## Abstract

This article considers the institutionalization of research ethics as a site of “colonial unknowing” in which the racial colonial entanglements of academic research and institutions are obscured. I examine the origin stories situating Institutional Review Boards (IRBs) as a response to cases of exceptional violence, most notably the Tuskegee syphilis experiment, within an otherwise neutral history of research. I then consider how the 2018 revisions to the Common Rule extend “colonial unknowing” by decontextualizing the forms of risk involved in social and behavioral research. I situate these complicities as necessary starting points toward anticolonial research ethics of “answerability.”

## Keywords

ethics, IRBs and academic freedoms, decolonizing the academy, pedagogy, qualitative research and education, qualitative research, methodologies, reforming the social sciences, anticolonial research ethics

## Institutionalizing Research Ethics Through the Institutional Review Board (IRB)

The institutionalization of research ethics is a relatively recent phenomenon in the United States.<sup>1</sup> The passage of the National Research Act of 1974 set in motion a range of policies at the federal level to mandate minimum ethical standards of research with human subjects.<sup>2</sup> Among these, the policy referred to as the “Common Rule” required universities to establish IRBs to uphold the new regulations (Loue, 2002).<sup>3</sup> As a condition of receiving federal funding, all universities and research institutions were required to establish IRBs to regulate research with human subjects, except for research that qualified as “exempt” from full review (Sullivan, 2011).<sup>4</sup>

Creating the infrastructure to interpret and apply the policies of the Common Rule to a wide range of research was a complicated task, as documented by the staff who served on some of the first IRBs (Bankert & Amdur, 2006). A new field of knowledge also emerged across disciplinary bounds alongside the establishment of IRBs, as scholars considered the impacts of the new ethics protocols on various forms of research and analyzed the shortcomings of this process. In the social and behavioral sciences, critiques of the IRB fall into three primary areas of concern. The first and most predominant line of critique demonstrates the inadequacy or irrelevance of evaluating social research

through principles designed for positivistic, biomedical modes of inquiry (Bell, 2014; Bhattacharya, 2007; Bledsoe et al., 2007; Bosk, 2004; Dingwall, 2008; Feeley, 2007; Halse & Honey, 2005; Heimer & Petty, 2010; Lederman, 2006; Schrag, 2010; van den Hoonaard, 2011). In one attempt to follow these procedures, an IRB advised a graduate student to merely avoid watching the people in her study who had not provided informed consent while she conducted participant observations (van den Hoonaard, 2002). Other scholars illuminate the theoretical inconsistencies of IRB procedures with particular social scientific methodologies. For example, anthropologist Bell (2014) argues that the contract-like process of informed consent is incommensurable with the relational, emergent, and ongoing negotiations of ethnographic methods. Bell also underscores how the intervention within ethnography doesn’t necessarily occur through interactions during fieldwork, but through the process of writing, complicating the scope of what interlocutors are actually consenting to.

The second line of critique includes scholars who are concerned with the blurriness between research ethics and the more bureaucratic role of IRBs (Bledsoe et al., 2007;

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Feeley, 2007; Guta et al., 2010; Heimer & Petty, 2010; Ribeiro, 2006). Political scientist and legal scholar Feeley (2007) understands IRBs as symptomatic of an “increasingly risk-averse environment” in which potential legal risks of research contribute to produce an “instrumentalist cost-benefit analysis” of research by review boards (p. 765). These critiques are concerned with how IRBs function to protect the legal liabilities of universities and do little, in practice, to actually uphold the ethical treatment of potential research participants. The legalistic function of IRBs is related to the third theme, those critiques which consider the IRB as a gatekeeper to the advancement of new knowledge (Bledsoe et al., 2007; Dingwall, 2008; Guta et al., 2010; Katz, 2007). Bledsoe and colleagues (2007) are among the most avid opponents of IRBs and question whether institutional review constitutes a breach of first amendment rights to free speech, by creating a bureaucratic roadblock to the “free-flow of ideas” (p. 604).<sup>5</sup> As sociologist Haggerty (2004) argues, the “rule fetishization” in both Canadian and U.S.-based ethics review boards has produced a logic of “ethics creep,” in which protocols are prioritized over situated decision making that might actually inform ethics within that research context (p. 411).

In July of 2011, the U.S. Department of Health and Human Services (HHS) published an Advance Notice of Proposed Rulemaking (ANPRM) to solicit public comments toward a major reformulation of the Common Rule (Office for Human Research Protections, 2011). Among IRB critics in the social and behavioral sciences, this was an especially welcomed announcement, and the National Academy of the Sciences (NAS) formed a special group to review the proposed federal revisions to the Common Rule, identify any critical issues in the proposal, and offer both guidance and additional areas of research to address these concerns. The recommendations by the NAS were published in a 2014 report, which notably recommends new criteria to expand the categories of social and behavioral science research that should be exempt from full IRB review (National Research Council, 2014).<sup>6</sup>

In January of 2018, institutions began implementing provisions of the revised Common Rule that did not conflict with the previous iterations of the Common Rule. An Interim Final Rule was issued in January of 2018, delaying for 6 months until July of 2018 those provisions that actively changed—rather than added to—the pre-2018 version of the Common Rule, allowing more time for IRBs to implement the new policies (Office for Human Research Protections, 2018).<sup>7</sup> Although the revisions aim to alleviate time intensive and costly burdens for both review boards and academic researchers (National Research Council, 2014), many questions regarding the ethics of social and behavioral research remain unaddressed—if not further occluded—through this policy shift.

In this article, I offer a critical reading of the discourses of research ethics that are circulated through the IRB. I analyze the often-cited origin stories that situate IRBs as a response to cases of exceptional violence, most notably the Tuskegee syphilis experiment, within an otherwise neutral history of research (Dixon & Quirke, 2018). I consider these origin stories as meaningful narratives, analyzing the collective myths that are produced about research as well as the histories that are erased, through these retellings. Such excluded histories include U.S. universities’ institutional investments and wealth accumulation through slavery and indigenous land dispossession during the 18th and 19th centuries (Brophy, 2016; Wilder, 2013), and the simultaneous production of race as a field of scientific study to classify human difference and justify such processes (Wynter, 2003). I argue that the origin stories of research ethics enact a form of “colonial unknowing,” an active erasure of academia’s complicity in producing ongoing contexts of racialized social injustice (Vimalassery, Pegues, & Goldstein, 2016). I conclude by considering how the 2018 Common Rule revisions to expand the category of exempt research upholds “colonial unknowing” by further decontextualizing the forms of “risk” involved in social and behavioral research; in other words, those that extend beyond the research interaction and into the durable narratives that are produced in and through research (Tuck & Yang, 2014).

To be sure, I am not invested in maintaining the IRB. Instead, I examine the material and symbolic meanings of ethics—and research itself—that are produced through the institutionalization of research ethics and its current policy transformations. These lines of analysis connect with long-held, ongoing conversations in critical interdisciplinary fields that articulate alternatives to the coloniality of status-quo research methodologies (Denzin, Lincoln, & Smith, 2008; Paris & Winn, 2014; Tuck & Guishard, 2013; Tuhiwai Smith, 2012) as well as those that examine the coloniality of institutional contexts of universities themselves (Stein & Andrieotti, 2016) toward more robust engagements with research ethics that are situated in and are responsive to these histories. I conclude the article by considering how the colonial entanglements of research and the complicities of universities are a necessary starting point for engaging and enacting an ethics of research that moves beyond desires for ethical purity (Shotwell, 2016), but that takes up these complicities in an active commitment to anticolonial ethics of “answerability” that are responsive to these contexts (Patel, 2016).

### *Origin Stories of Research Ethics*

Whether through introductory research methodology texts or required online training modules, most social science researchers in the United States learn about research ethics through a similar origin story (Dixon & Quirke, 2018).

This narrative arc often begins with the Nuremberg Code, established in 1947 as the first internationally recognized document in response to the torture and medical experimentation conducted by Nazi doctors during the Holocaust (Faden, Beauchamp, & King, 1986). In 1964, the World Medical Association released its own code for physicians, The Declaration of Helsinki, in partial concern that the abuses tried at Nuremberg posed a “general threat to the reputation and integrity of biomedical research” (Faden et al., 1986, p. 155). Codes of ethics were not only written for the scientific community, but also aimed to reassure the ethicality underlying research practices to the broader public.

Within the social sciences, several notable cases are often recounted to demonstrate ethically questionable approaches that include and extend beyond direct forms of bodily harm: Psychologist Stanley Milgram’s 1961 experiments on obedience to authority, controversial because researchers used deception and provoked psychological distress in participants; the research underlying Sociologist Laud Humphreys’ 1970 book *The Tearoom Trade*, which relied on covert observations of homosexual sex in public spaces, again highlighting deception and risking the confidentiality of research subjects; and Psychologist Philip Zimbardo’s 1971 Stanford Prison Experiment, in which consenting subjects experienced psychological and physical abuse in a simulation intended to test the impacts of perceived power (Israel, 2015; Schrag, 2010).

As sociologists Dixon and Quirke (2018) argue, learning about research ethics through such high-profile cases socializes students to understand “risk” and “ethics” through a sensationalist lens, what Hagan (2018) describes as “ethical horror stories.” Together, these flatten the complex situatedness of research ethics to the procedural rituals mediated by the IRB. These narratives also obscure the forms of pervasive, iterative violences that have been sustained through projects of knowledge production and the very institutions through which such research is possible, framing these and other key cases as outliers in an otherwise ethical history of research practices and institutions (Bledsoe et al., 2007; Fitzgerald, 2005; Heimer & Petty, 2010). Even one of the most egregious cases, the Tuskegee syphilis experiment, is often decontextualized from a broader historical and theoretical analysis that made such purported “research” possible. Developments in medical research have disproportionately relied on the extraction of value (knowledge) through experimentation on the bodies of Black peoples, all while Black peoples continue to be disproportionately excluded from basic forms of health care and routinely report receiving differential, diminished treatment in medical settings as a result of racial discrimination (Benjamin, 2013; Nelson, 2016; Washington, 2006).<sup>8</sup> Tuskegee was not the first incident, nor was it the last. Thus, how does the narrative of ethical infringements as discrete “events” mask

forms of iterative, connected violence that have been sustained in the name of science and knowledge production (Povinelli, 2011)?

## Rejecting Narratives of Exceptional Violence

The Tuskegee syphilis experiment marks the tipping point at the national policy level. A group of federally employed, mostly White researchers working for the U.S. Public Health Service (USPHS) initiated the project in 1929 to study the progression of syphilis in Black men (Loue, 2002). The researchers posited that syphilis presented neurological effects in Whites and cardiovascular effects in Blacks and enlisted around 600 poor sharecroppers in Tuskegee, Alabama, where some of the highest rates of syphilis had been documented (Loue, 2002, p. 6). The men were not told they were being recruited for a study, but were led to believe they were receiving free medical treatment for a broad variety of symptoms colloquially known as “bad blood” (Loue, 2002). Participants were also offered warm meals and burial payments for their participation (Alsan & Wanamaker, 2016).

The experimentation began in 1932 and by 1947 penicillin had been identified as an effective treatment. Yet the researchers actively withheld treatment to continue studying the progression of the disease. In addition to prolonging the suffering of the Tuskegee men, the researchers also conducted risky, painful, and invasive procedures, such as spinal taps, merely for exploratory purposes (Washington, 2006, p. 162). It is notable that this slow, intentional, “death-watch” coincided during and well after the passage of notable bioethics documents—the Nuremberg Code (1947) and the Declaration of Helsinki (1964)—and all under Federal oversight (Jones, 1981).

A series of journalistic exposés brought the Tuskegee Experiment to public attention in 1972, detailing the scope of abuse that spanned 40 years (Alsan & Wanamaker, 2016). By this time, few of the men remained alive because of the disease or related complications, and many of their wives and children had also become infected (Alsan & Wanamaker, 2016). The U.S. Senate Subcommittee on Health heard the case and appointed a national commission to articulate ethical principles of biomedical and behavioral research, which were compiled in the 1978 Belmont Report, again also signaling to the public that such egregious abuses would not be repeated (Loue, 2002, p. 36).<sup>9</sup> The report was lauded because each ethical principle was connected to actionable policies; the concept of “respect for persons” requires researchers to secure voluntary, comprehending, and informed consent; “beneficence” requires researchers to define the possible scope of risks and benefits of participating in research, and to systematically assess these risks for potential subjects; finally, the principle of “justice” requires

that the selection of research subjects should not target members of any particular social, racial, sexual, or ethnic group, avoiding disproportionate harms or benefits of research toward these protected categories (Office for Human Research Protections, 2010).

The responses at the federal policy level, which produced the IRBs, continue to bear significance. Without them, the Public Health Services (PHS) researchers would have continued enacting violence in the name research, even past the deaths of the Tuskegee men. As Harriet Washington (2006) argues, the researchers were in fact awaiting their deaths to perform investigative autopsies, viewing them as “living cadavers, more valuable to American medicine dead than alive” (p. 164). Washington’s emphasis on the “value” of the Tuskegee men to medicine is significant. An examination of Tuskegee should not end at the blatant harms, but to consider *who benefits* and *how*? Indeed, we must ask the following: What forms of value are extracted by individual researchers, disciplines and institutions through research? How does value (as knowledge) become authorized and circulated, only to compound the extraction and accumulation of value (profit)? Such a line of inquiry will allow us to ground discussions of research ethics in scales of materiality that take into account the production of power through knowledge, and even the production of ethics in ways that continue to elide these relationships.

### Universities as Sites of Value Extraction and Accumulation

What are the processes, then, that produce some people as *researchable*, as objects of study? What forms of value are extracted and accumulated through research, or by institutions—colleges and universities—which organize the production of knowledge? I offer some preliminary threads to rehistoricize and analytically frame the ethics of research. To disrupt the framing of Tuskegee as a mere aberration of unethical research, I argue that the ethics of research must critically situate the histories of our institutional contexts and of knowledge production practices themselves. Through this framework, we can understand Tuskegee as part of broader, racialized logics of accumulation enacted in and through claims to knowledge and as such, require a different scope for addressing the ethics of research.

First, we must consider the way in which the “researchable subject” was articulated with the way in which “race” was promulgated in 18th-century scholarship as a rational, scientific study of human difference. Wynter (2003) traces how Western nations increased their territorial and political expansion through secular discourses of “rational perfection” which superseded, without wholly eliminating, prior Christian theological discourses of “spiritual perfection” as justifications (pp. 264, 287). Through what Fanon calls the “colonial vocabulary,” Indigenous and African peoples

were deemed as lower in a taxonomic ordering of humanness, a “Chain of Being” which, as Wynter describes, correlated to “differential/ hierarchical degrees of rationality” (p. 300). The West “placed itself at the apex” of this chain, creating the conditions of truth and rationality in its own image (Wynter, 2003, p. 300). Through this double move, universality—of truth, of knowledge, and ethics—was both created in the image of and abstracted from the Eurocentric figure of Man.

Wynter (2003) argues that this method of creating the conditions of power through knowledge were not new strategies, but integrated into new forms of purportedly ‘rational’ values, from the *spiritual* to *scientific*, what Wynter short-hands as a transition from Man<sub>1</sub> to Man<sub>2</sub>. This new universal human figure is a “bio-economic subject,” which establishes a particular “genre of being human,” a human ideal organized both through science and capital (p. 318). As McKittrick (2006) elaborates, Man<sub>2</sub> “reconfigured humanness by ideologically re-presenting itself as “world” humanness while simultaneously stratifying economic and political power through phenotype” (p. 126). Surely then, the extraction of life, land, and labor of Indigenous, Black, and variously racialized communities throughout time could be justified in the service of the development of more “rational,” “civilized” ways of being, or so the logics of Whiteness—and the logic of it’s ethics—are organized to function.

The extraction of value from racialized people took on a myriad of forms in the foundation of the United States and through a variety of institutions. Universities and colleges were among these institutions. The wealth amassed through exploitations of slave labor funded endowments, financed the construction of buildings, and established new colleges (Wilder, 2013). Indeed, these processes were not unique to private colleges and Ivy leagues, but accounts for the formation of public-land grant institutions across the nation, funded through grants of 30,000 acres to each senator and member of the house (Stein, 2017). As Stein argues, the Morrill Act (1857), provided the conditions of possibility for public higher education through the “imperatives of accumulation that were established during colonization” (2017, p. 1). Even the development of a network of public universities into the 19th century thus relied on colonial logics that were “scientifically” developed and used politically to justify such processes.

Not only was the wealth of many early campuses built through practices of land and labor extraction, but colleges and universities also played an important role in consolidating ideas of racial difference as scientific truth to legitimize racialized violence within the broader social and political development of the United States. Institutional leaders on campuses such as the University of South Carolina (University of South Carolina Library, 2011), University of North Carolina at Chapel Hill (Chan, 2016) and Yale University (Peart, 2017), among others, were

ardent defenders of slavery. Amid the active dehumanization of Native peoples, scientists in settler colonies also appropriated Indigenous knowledge of plants to treat disease and injury as part of a broader effort to build their disciplinary and institutional capital (Wilder, 2013). As Wilder (2013) documents, the status of Atlantic colleges in the 18th century was measured by the knowledge it had amassed, which also included Indigenous human remains that provided curricular objects of study (p. 186).

Continued desires to expand medical knowledge required cadavers for research and to train future physicians. The bodies of deceased enslaved Black people were notoriously sought after—even dug up from cemeteries—for this development. Circulars for the Medical College of South Carolina in the early 19th century touted the quality of medical training it could offer students through the availability of cadavers, a testament to the school's "great opportunities for the acquisition of anatomical knowledge" (Washington, 2006, p. 107). As Washington (2006) points out, such claims are revealing in that surgery at the college was "performed *only* on blacks—slave or free" (p. 107). Critical methodology and science studies scholars underscore how the cells, bodies, and lives of variously racialized peoples continue to be targeted as objects of research and extraction (Reardon & TallBear, 2012; Tuck & Yang, 2014; Washington, 2006), even in biomedical research with "social justice" oriented aims (Benjamin, 2013; Nelson, 2016; TallBear, 2013).

Together, this and other critical scholarship examining the coloniality of traditional research practices (Quijano, 2007; Tuhiwai Smith, 2012) and of university spaces (Brophy, 2016; Chiang, 2009) deepens predominant frameworks for engaging the ethics of research. Although the Tuskegee syphilis experiment was an important policy tipping point, the origin stories surrounding the IRB historically and analytically decontextualize these violences and dangerously risk explaining away the violence as actions of racist individuals, rather than as part of systematic processes of racialized accumulation. What then is accomplished through these elisions that continue to narrate Tuskegee through a frame of eventfulness?

### **Upholding "Colonial Unknowing": The 2018 Revisions to the Common Rule**

In 2011, a committee of over 60 experts convened by the National Research Council began the first of a series of meetings to inform the federal government's efforts to revise the Common Rule and advise how these guidelines might be better suited to the work of researchers in the social and behavioral sciences.<sup>10</sup> The 2014 report, which documents their final recommendations to the ANPRM, notes that the principles of the Belmont Report can be honored while, "keeping abreast of the universe of changes that factor into the ethical conduct of research today" (National

Research Council, 2014, p. 1). While the report aims to nuance the paternalistic and other power-laden logics that undergird the Common Rule, ultimately, these recommendations lack critical engagement with the ethically fraught racial-colonial histories and ongoing conditions that continue to shape the practice of research today.<sup>11</sup> As in our origin stories of the IRB, research ethics is understood within the bounds of specific research projects, making it difficult to speak to the complex social and political contexts that not only shape where researchers might engage their work, but also the institutions that employ them and make this work possible.

In their introduction to a (2016) issue of *Theory & Event*, Vimalassery, Pegues, and Goldstein develop the concept of "colonial unknowing" to consider the ways in which settler colonialism is "aggressively made and reproduced, affectively invested and effectively distributed in ways that conform the social relations and economies of the here and now" (p. 1). Borrowing from Byrd's (2011) theorization of "colonial agnosia," colonial unknowing points to the necessary and active disavowals that uphold the persistence of settler colonialism to structure U.S. social and political relations without registering as an occupation in the everyday commonsense (Baloy, 2016). The term is grounded in the specificity of the ongoing political contestations of Indigenous claims to sovereignty within settler contexts such as the United States, Canada, Australia, and others. I evoke it here as a useful formulation to consider the ways in which research ethics is shaped through the prism of the IRB to obscure the ways in which knowledge production and academic institutions are complicit in producing and upholding these relations of power, understandings of ethics, and what constitutes ethical research. "Unknowing" is theorized not merely as an omission, absence, or gap, but analyzed for what such elisions *produce*. Thus, we might consider how the IRB and its connected discourses of research ethics are sites through which the racial-colonial entanglements of universities are actively reproduced and erased. As such, to be challenged, they require reframings of research ethics that are grounded in the very material effects of knowledge production.

Within this framing, expanding the categories of research exempt from IRB review supports scholars who problematically argue that qualitative methods, such as conducting observations, asking questions, or interpreting documents, are similar to activities of everyday life and thus deem the potential harms of such research as "minor and reversible emotional distress" (Dingwall, 2008, p. 3). For example, the NAS recommends that the primary metric concerning the use of publically available data in research should be privacy:

. . . investigator use of only publicly available information, information in the public domain, or information that can be observed in public contexts is not human-subjects research and

thus is outside of 45 C.F.R. § 46 [the Common Rule], whether or not the information is identifiable, as long as individuals whose information is obtained have no reasonable expectation of privacy. (p. 47)

In this description, risk is understood within the framework of individual rights and “reasonable expectation of privacy.” Yet as critical scholars have long-argued, the possible harms of social research extend far beyond immediate physical risks within the research interaction and into the meanings that are made from the interactions researchers observe, ask about and collect, whether or not they violate an individual’s privacy (Tuck, 2009; Tuck & Yang, 2014; Tuhiwai Smith, 2012). Risk must also understood through deeper analytical and historical frameworks, such as the possibility of (re)producing deficit narratives that point to racialized communities as *sources* of social failure, burden, and harm, rather than interrogating the systems that produce these social conditions (Tuck & Yang, 2014; Valencia, 2010).

Narratives of racial deficit are flexible tools that have been persistently refashioned throughout U.S. history to solidify the uneven distribution of life possibilities as natural and even objective. The role of scientifically produced knowledge in solidifying such narratives cannot be ignored. For example, 19th-century public health researchers in San Francisco characterized Chinese tenement communities as sources of disease and contagion, resulting in policies of surveillance, isolation, and public disinvestment in resources such as basic sanitation services (Shah, 2011). In a more contemporary example, the DNA samples of Havasupai indigenous community collected in the 1990s under the lead of geneticist Therese Markow were later used for a variety of studies, including research that threatened ancestral tribal land claims (Reardon & TallBear, 2012; Tuck & Yang, 2014). Even in biomedical research then, “risk” extends into the knowledge that is produced, disseminated, and enacted from the data, rather than merely what is collected.

Thus, to expand the categories of exempt research based on metrics of individual privacy, for example, flattens conceptions of “risk” within social science research as minimal and everyday. Indeed, critical scholars will not merely rely on the IRB as their rubric for research ethics. However, given the symbolic power of the IRB as the formal institutional mechanism for research ethics, these and other recommendations potentially communicate that social scientific research is merely a neutral endeavor of inquiry. Without formal institutional efforts to address the forms of racial colonial violence produced through research both historically and contemporarily, we cannot merely understand the revisions to the Common Rule for their logistical impacts, but as an extension of *colonial unknowing*.

## Toward Anti-Colonial Research Ethics

At its core, my argument is concerned with the way in which the IRB narrows institutional framings of research ethics. We cannot begin with Tuskegee and expect scholars to understand the racial-colonial entanglements that are at the foundations of research and U.S.-based institutions. As practitioners committed to truth and knowledge production, institutional commitments to anticolonial and antiracist research should not be matters of theoretical orientation, but matters of practicing better social inquiry; that is, not matters of individual choice, but of collective action and ethical practice. Even if and when scholars are not working with communities that have been systematically racialized and marginalized through intersectional forms of structural inequality, it is incumbent on researchers to understand how our own disciplinary and institutional histories are connected to these processes. This requires an understanding of and engagements against status quo forms of “epistemological nihilation that curriculum violence and erasure produce and maintain” (King, 2017, p. 219).

I am suggesting then, that it is not merely the work of “critical” scholars to engage in antiracist and anticolonial research ethics. The task of research ethics demands engagement with traditions of scholarship that offer counter-frameworks to settler logics of knowledge (Battiste, 2013; Kovach, 2009; Tuck, 2009; Tuhiwai Smith, 2012). Yet in the process of reframing research ethics, the goal is not to merely replace these predominant origin stories with new ones that make rhetorical acknowledgements to the colonial entanglements of research toward more moral institutional self-concepts. Instead, we must work toward active institutional commitments to shift resources and research practices to forms of knowledge that are anticolonial. As Shotwell (2016) elaborates, “[s]ince it is not possible to avoid complicity, we do better to start from an assumption that everyone is implicated in situations we (at least in some way) repudiate” (p. 5). Rather than imagining research as an antidote or antithetical to contemporary conditions of injustices, we are better positioned to engage these contexts of injustice as central to our engagement of research ethics.

In this spirit, understanding the complicity of academic research and institutions is a “starting point for action” (Shotwell, 2016, p. 5). Articulating a more robust periodization of research ethics does not necessitate that we undermine knowledge production or academic contexts as inherently problematic, even though there is much to be done to reimagine and recreate our institutions through anticolonial and antiracist practices (Ahmed, 2012; Harney & Moten, 2013). It provides an important opening for both individual researchers and importantly, for institutions, to take seriously what research ethics might mean in terms of real, material resources and forms

of anticolonial “answerability” toward its communities and contexts in ways that move against academic research as a site of accumulation and extraction (Patel, 2016).

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### Notes

1. Even the notion of a “research university” should be historicized as a fairly recent invention, emerging in the United States in the 19th century based on the German model (Veysey, 1965). Similarly, the division of universities into disciplines, as well as the formation of “research methods” should be historicized as transformations of earlier intellectual, scientific, academic, economic, and theological modes of understanding that organized knowledge through coloniality. Generally, the relationship between knowledge and power, as well as the relationship between knowledge and ethics, are elided in the dominant academic discourse, except for those “critical” theoretical or interdisciplinary fields.
2. In Canada, the Medical Research Council of Canada (MRC) as well as the Social Sciences and Humanities Research Council (SSHRC) released recommendations for ethical principles and ethics review processes based on the Belmont Report in 1978 (Israel, 2015).
3. The National Research Act called for the formation of a special commission to determine the principles for ethical conduct with human subjects in research. The recommendations of the Belmont Report were turned into law through the Code of Federal Regulations, Title 45 Public Welfare, Department of Health and Human Services, Part 46 Protection of Human Subjects or 45 CFR 46. Subpart A of 45 CFR 46 is known as the “Common Rule,” as it describes the legal protections required for all human subjects, while subparts B, C, and D specify the protections required for research with those “vulnerable populations” identified by the commission (Office for Human Research Protections, 2016).
4. Studies originally eligible for exemption include research on “established or commonly accepted educational settings,” research on “existing data, documents, records, pathological specimens, or diagnostic specimens” that are publicly available sources, consumer testing of food taste and quality, among others. See “Chart 2: Is the Human Subjects Research Eligible for Exemption?” available here: <http://www.hhs.gov/ohrp/policy/checklists/decisioncharts.html#c2>.
5. For an important engagement with and critique of this position, see Newman and Glass’s (2014) “Comparing Ethical and Epistemic Standards for Investigative Journalists and Equity-Oriented Collaborative Community-Based Researchers: Why Working for a University Matters,” *The Journal of Higher Education*, 85(3). I agree with Newman and Glass’s (2014) analysis that to equate researcher rights with free speech

rights conflates the particular power and position of authority from which researchers/scholars speak.

6. The NAS recommended revisions to the definitions of “research” and “human subjects”, suggesting expansions in the categories of research exempt from IRB review, as well as revisions to the use of public data.
7. There were additional modifications made to the timeline of integrating these changes which occurred after the writing of this article. According to the U.S. Department of Health and Human Services, an example of a conflicting and delayed rule “is the provision eliminating the requirement for continuing review in certain circumstances” whereas a revised rule that does not conflict with pre-2018 Common Rule § \_\_.116(b)(9), (c)(7)-(9), which requires additional disclosure of biospecimen use as part of informed consent processes.
8. I utilize “Black” to signify both the historical and ongoing processes of racialization that produce Blackness as a political category of identity and oppression, specifically within the U.S. context. Black women in the United States are 243% more likely to die from pregnancy or childbirth-related complications, even for Black women with higher educational and economic status than White women. Generational economic and housing segregation means Black mothers are more likely to have access to lower quality hospitals; racial bias among health care providers means Black mothers are more likely to receive compromised medical care; the multitudes of structural inequality against Black communities means Black women are more likely to develop higher rates of chronic, cumulative stress, increasing their health risks (Martin & Montagne, 2017).
9. The name of the document was inspired by the Belmont Conference Center at the Smithsonian Institute near Baltimore, Maryland, where the commission convened to write the document. For more of this history, see IRB Guidebook: Introduction, Part B (Office for Human Research Protections, 2010).
10. Scholars and researchers with expertise in anthropology, cognitive science, communication and information sciences, economics, education research, demography, geography, health services research, history, political science, psychology, social work, sociology, and statistics were among the committee members (National Research Council, 2014).
11. This is not to suggest that these conversations were not raised among members of the National Academy of the Sciences Special Committee. For example, committee member Rena Lederman takes up how the discipline of anthropology emerges out of western philosophical traditions and considers how anticolonial scholarship and social movements have raised important questions for the field in terms of research ethics, pedagogy, and mentorship (Lederman, 2013). Instead, I examine what sorts of framings and analysis end up in the report and the final recommendations by the National Academy of the Sciences.

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