

Vivian Weil's Commentary on "Research on Linguistic Profiling of Terrorists"

Commentary On
Research on Linguistic Profiling of Terrorists

This case highlights ethical issues in research design and effectively brings out a number of additional ethical issues. Temptations faced by social science researchers in dealing with these issues are forcefully presented. The case and other commentary make the social science researcher's resistance to the IRB's interference understandable, and at the same time they underline the importance of the role of the IRB.

The initial focus of this commentary is on the research itself, an investigation in the field of psycholinguistics. Sophia is engaged in bilingual research on language acquisition using a computational model. In every case, presumably, English is one of the languages. For her dissertation, Sophia will use the model to discern particular patterns of language usage that indicate what languages a person speaks or has been exposed to. This is the core scientific research. It is applied research, for the research product is designed for use in government agencies, such as the NSA, FBI, and CIA (perhaps also Homeland Security) to help them gain information about the ethnicity or nationality of the authors from texts they receive. Of particular interest are texts containing bomb threats, ransom notes, and the like.

The research involves selecting many participants from specific language groups and comparing patterns of their language usage on the basis of output from the model. It is essential to collect a large number of text samples from research participants. In addition, to obtain results that will be useful to the agencies for ascertaining ethnicity and nationality of authors, Sophia has determined that she needs text samples of bomb threats and ransom notes from participants.

Presumably, Sophia's dissertation advisor(s) agreed on the need for such texts. This is an important point because the case raises an ethical question about the justification for an experiment that requires students to furnish such texts, as well as

a question about research design. Accordingly, before turning to the risks for students from participating in the experiment, it is important to ascertain the scientific rationale for requiring students to write bomb threats and ransom notes and for allotting such a large portion of the three-hour experiment to obtaining these texts.

Another question of research rationale focuses on the justification for apparently accepting the agencies' interest in determining the ethnicity and nationality of authors. Why are these the target variables? What about other variables of interest to psychologists, such as mental instability? If such psychological characteristics are the ultimate target, why are nationality and ethnicity thought to be appropriate foci of investigation? One is reminded of a point often made concerning the apprehension of terrorists. Using ethnicity or nationality profiles rather than certain behavioral profiles is a time-consuming distraction from tracking people exhibiting odd behavior that might indicate questionable clandestine activity. Accordingly, academic psychologists could serve the applied research users by questioning and discussing with them their interest in the ethnicity and nationality of the authors of texts.

These questions of justification need to be discussed with participants, for the rationale points to the value of the research, i.e. the basis for justifying risks for which participants' consent is sought. In addition, students are to be awarded academic credit for participating in the research; it is important that they have an intellectual understanding of the research and the reasons for pursuing it. The credit issue will be explored more fully below after comments on Sophia's stance regarding risks.

The claim that there is little guidance in the literature regarding the risks to participants from the tasks of writing bomb threats and ransom notes seems open to question. Sophia may not find guidance related just to these tasks, but by using her imagination to identify relevantly similar tasks and discussing this issue with her advisor(s), she may uncover some helpful literature. Such research is an appropriate component of the dissertation research, even necessary to defend experiments such as the one Sophia intends to conduct.

If, contra expectations, Sophia finds no guidance, she must proceed with great caution, given that there is evidence that writing about certain positive events may have positive effects. In Sophia's experiment, students are to produce texts that in

certain contexts would expose them to legal consequences. The absence of guidance is not license simply to proceed.

Presumably, students are to take the tasks seriously, not play games with them. Is it possible to tell the difference? This leads to further questions about whether such tasks are necessary or even useful, particularly in view of the goal to obtain from the texts information about ethnicity and nationality of authors. Moreover, as the author of the case notes, the restriction of research participants to certain language groups might well raise questions in the minds of participants (and others) about profiling. In this connection, there may be relevant studies that indicate risks, and negative effects may not be so difficult to predict. One would not expect a decline in health among negative effects. More likely effects are anxiety, irritation, resentment, and even fear. The researcher has an obligation to learn about likely effects.

The research subjects are entitled to know that this is applied research and which government agencies are the intended users. Respect for students as persons requires that they have an opportunity to choose whether to participate in this particular applied research and to withdraw from participation at any time because of objections to the application or for any other reason. This respect is also owed to students as participants in what is presented as an educational activity. Students are presumably allowed credit because this is intended to be an educational experience.

Students are more vulnerable than some other populations because of their status. They are subject to the power and influence of their instructors, and they need credit, grades, letters of recommendation and other sorts of consideration that affect their careers in college and in life afterward.

Three hours of course credit for participation in a three-hour experiment of writing texts seems excessively generous, especially if one accepts the ground rule that students should not perceive participating as subjects in research as an easier way to obtain extra credit than other available options. (There should, of course, be other options.) Such generous terms can rank as undue inducement, even coercion in some circumstances. This is a concern that the IRB should not fail to address. It is incumbent on IRBs (and psychology departments as well) to establish and enforce policies, such as the ground rule suggested above, out of respect for students and the need to protect them. The course credit should not count in the balance against the risks of the research.

It is altogether appropriate that IRB approval required a year's time, considerable discussion, and the caveat that students be on notice through the consent form that they might be required to write a bomb threat or ransom note. The IRB justifiably pressed Sophia for justification. It is surprising that there is no detail on the considerations that finally persuaded the IRB. For example, how did the IRB come to agree with the distribution of time, two thirds to be spent on the bomb threat or ransom note?

The incident that occurred at the end of the term is related to two ethical issues already identified: the generous course credit awarded for participation and the apparent profiling of certain language groups. The Middle Eastern student's perception is that he was discriminated against in not being allowed into an experiment that would have answered his credit needs. This is the sort of outcome Sophia might have thought about in advance. She might, as a result, have decided upon less seductive credit terms. It is also conceivable that if she had questioned the agencies' presumed interest in the ethnicity and nationality of text authors, she might not have gone ahead with a research protocol that visibly targeted certain language groups.

Sophia is not entitled to conclude that the student is *simply* manipulating her for credit. Our motives most often are mixed. Sophia's concession to give him partial credit may not have been well considered, for he did not have the qualifications of a proper participant. He might have concluded that whatever consideration had inclined her to give him some credit might work to extract more credit. The narrative about the student suggests that he might have been genuinely aggrieved (not "alarmed", as Sophia opines) at being excluded on what he plausibly perceives to be "racist" grounds. After all, Sophia had foreseen that there might be a problem with the appearance of profiling. She thought of the effect on qualified participants rather than on those excluded.

Sophia must report this incident to the IRB when she reapplies for approval. This is knowledge the IRB must have in deciding whether and with what modifications or caveats to grant approval. The incident was intense and related to ethical questions raised by the research. The researcher is at risk in such situations. Sophia cannot be confident that such incidents are not harmful to students and will not occur again.

There are no general, bright line boundaries defining what in the first year of experience must be reported to the IRB. It is helpful to think about what information

the IRB needs to make sound decisions for the present and *the future* to protect research participants. It seems obvious that since Sophia has become involved in a quite heated incident with a student, she is not in a good position to gauge the motives and level of stress of the student. Regarding all three questions following Part 1, the experimenter should discuss her responses with advisors, department members, and perhaps others. In general, researchers should test out their views on ethical questions concerning their research with others whose reactions may be useful to confront.

It is no longer a question whether an IRB should have authority to intrude into research. Since the appearance of the Belmont Report, we have well established knowledge demonstrating that researchers cannot be left to determine for themselves whether they have adequately dealt with risks posed by their research. The consent form is very useful for pressing researchers to consider and address ethical questions raised by their research, and it is essential for providing appropriate protections to research subjects. The IRB should be the final authority to be satisfied on these points.

The other commentary raises the question of whether fully informing research participants might affect the results of the experiment and the benefit of the research in respect to homeland security. It might affect the results, but that prospect is not enough to overbalance the importance of fully informing participants. Indeed, the effect might not be for the worse. The benefit to homeland security is in the realm of speculation.

The argument that fully informing participants jeopardizes the research has long since lost its hold. Openness and transparency are as important in research as in other areas of activity, and restrictions require strong justification. The demand for openness should trigger ingenuity in designing the research. Government funded research that bars fully informing research participants should not be conducted with students. Whether and under what conditions such research can be justified with other participants is beyond the scope of this discussion.