Right or Wrong? Toward a Theory of IRBs’ (Dis)Approval of Research

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No one would disagree that scientific research has been unethical—even criminal—at times. Institutional review boards (IRBs) play a fundamental role in protecting people from unethical criminological research. At the same time, IRBs, as social entities, are subject to a wide range of influences that may affect their decisions regarding the ethicality of research. This research note draws on the paradigm of pure sociology and the logic underpinning Black’s theory of law to propose a preliminary theory of IRBs’ (dis)approval of research. Specifically, it suggests that IRBs apply less social control to criminological research involving higher status researchers and lower status research participants and, therefore, those persons are more often involved in research. The paper concludes with theoretically situated, practical advice for how (1) IRBs can reduce their discrimination, and (2) criminological researchers can reduce IRBs’ disapproval of their projects and thereby increase their research output.

Introduction

No one would disagree that scientific research has been unethical—even criminal—at times (see, e.g., Hornblum 1999; Humphreys 1975; Milgram 1974; Zimbardo 1999). The most infamous case of unethical research comes from the Nazi regime, whose researchers forced prisoners to participate in gruesome experiments that caused serious pain, irreversible physiological damage, and even death (Anna and Grodin 1995). The Tuskegee study of syphilis among black men conducted by the U.S. Public Health Service is infamous for failing to do such things as tell participants they had syphilis or provide them with penicillin after it had become the medical standard for treating their disease (Jones 1993). Zimbardo’s (1999) prison experiment is perhaps the most famous example of ethically questionable research related to criminology, but the ethicality of the field is also drawn into question when, for instance, criminals are paid to tell us about their crimes (see, e.g., Jacques and Wright 2008a).

As a response to unethical research practices, the U.S. government began in the 1960s to demand oversight of research involving human participants (Citro, Ilgen, and Marrett 2003; Oakes 2002). The establishment of institutional review
boards, or "IRBs," resulted from a piece of federal legislation, known as the "Common Rule." It "provides for the establishment of IRBs to review and monitor individual research projects with human participants. It charges IRBs to assess harms, risks, and benefits of proposed research and to protect participants" (Citro et al. 2003, p. 9). At the turn of the millennium, there were almost 4,000 IRBs operating in the USA (American Association of University Professors [AAUP] 2001).

The purpose of IRBs is to determine whether research is "ethical"—right or wrong—in its treatment of human subjects (Bankert and Amdur 2005; Mazur 2007; Penslar 1993). The decisions of IRBs have profound consequences for criminological research. If an IRB deems a project to be unethical, then it is prohibited. If an IRB deems research to be ethical, then it is allowed (Citro et al. 2003). IRBs are fundamental in maximizing the benefits and minimizing the costs of criminology, as they play the key role in determining which research projects are good (ethical) and bad (unethical) in their treatment of participants.

What if, however, IRBs are not equal in their treatment of all research projects? More specifically, what if IRBs' decisions regarding the ethicality of research depend on the social status of the researchers and research participants? If IRBs do discriminate based on the social status of researchers and participants, what are the ethical and practical implications of this discrimination for research? This research note addresses these questions by proposing a preliminary theory of IRBs’ (dis)approval of research. The theory is illustrated by describing our own experience in obtaining IRB approval for our research on active drug dealers. The note concludes by using the proposed theory to produce practical suggestions for how (1) IRBs can reduce their discrimination, and (2) criminological researchers can increase their production by reducing IRBs’ disapproval of their research.

To be clear, the purpose of this note is not to end but rather begin a debate: (1) What objective factors affect IRBs’ (dis)approval of research? (2) How does this affect the quantity and quality of research? and (3) What are the practical implications of theory for increasing ethical research?

The Ethical Principles of IRBs

The stated mission of IRBs is to protect human participants from unethical research. The guiding theory of IRBs is not scientific but rather philosophical, and was established in what has become the Bible of IRBs—the Belmont Report (National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research [NCPHSBBR] 1979). Three ethical principles for protecting

1. An earlier version of this research note was presented in 2009 at the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR), Leiden, the Netherlands, as part of their Brown Bag Lecture Series.
human research participants are central in the *Belmont Report*, and they provide the philosophical (theoretical) basis for IRBs’ (dis)approval of research (Childress, Meslin, and Shapiro 2005). The three principles that guide IRBs are respect for persons, beneficence, and justice (Citro et al. 2003).

The principle of respect for persons suggests that participants must give their informed consent for research to be ethical. The principle of beneficence suggests that the potential harms of research should not outweigh the benefits if research is to be ethical. The principle of justice suggests that ethical research draws human participants from all sectors of society such that the harms and benefits are distributed equitably (Citro et al. 2003).

In addition, it has become commonplace for IRBs to judge the ethicality of research according to its protection of participants’ confidentiality and safeguards taken to minimize risk (Citro et al. 2003). These two issues are intimately tied to the principle of beneficence. Confidentiality—or keeping secret the identity of research participants—reduces the costs of research by lessening the chance of harms that might result from being identified as a research participant. Minimizing risk—through strategies such as maintaining confidentiality—reduces the costs of research. It also is worth noting that when informed consent has more harms than benefits, it is not needed for research to be judged ethical.

IRBs have the power to reject, require modifications to, or approve research proposals, and their decision is “final.” After providing initial approval, an IRB also has the right to suspend or terminate research later deemed unethical (Citro et al. 2003). As described above, IRBs’ (dis)approval of research is guided by a set of ethical principles: research is ethical depending on whether research participants (should and do) have informed consent, the benefits outweigh the costs, participant selection is equitable, participation is confidential (when it should be), and harms are minimized.

### Unethical Factors and IRBs’ (Dis)Approval of Research

Despite the good intentions of IRBs, evidence is mounting that their (dis)approval of research is affected by more than matters of ethicality (Citro et al. 2003). For example, a longtime IRB member noted that research done by persons with “previous positive funding decisions” receives less disapproval by IRBs (Baer 2005). Two researchers observed that IRBs

often impede the conduct of studies that are not conventional and/or experimental designs. As a consequence, studies that are qualitative, participatory action research, action research, postmodern, and/or critical theorist in orientation often undergo endless revisions as IRBs seek to make them appear more conventional. (Lincoln and Tierney 2004, p. 219)

The above suggests that IRBs’ (dis)approval of research varies for “unethical reasons”—meaning those unrelated to the ethicality of the research proposed...
(see Citro et al. 2003, p. 227; Katz 2006). This raises the question: what unethical factors might affect IRBs’ (dis)approval of research?

Pure Sociology and IRBs

That question may be addressed through the theoretical lens of pure sociology (see Black 1976, 1995, 1998). As a theoretical perspective, pure sociology is uniquely general, simple, testable, and original (for details, see Black 1995). The paradigm is original because it omits motivations and emotions, which are key to other sociological perspectives. Although motivations and emotions often are viewed as the reasons “why” behavior happens, pure sociology eschews them as unobservable phenomena that cannot be directly measured or falsified.

The “goal” of pure sociology is to determine how changes in the social structure of social situations lead to changes in social behavior. A social structure is defined by the relative social status of every actor (person or group) involved in a social situation, and also by the relative social distance between every actor involved in that situation. In short, the task for pure sociologists is to determine how variation across situations in actors’ relative wealth, community involvement, integration, organization, culture, and respectability cause variation in their social behavior.

A Purely Sociological Theory of Research

Research, or method, is a social behavior defined as the process of recording or analyzing information. Research is a quantitative variable: it increases with every additional datum collected or analyzed. Because research can be quantified, measured, and empirically observed, it is theoretically explainable. In other words, we can predict what situations, persons, and groups are most

2. There are at least five types of social status and three types of social distance. The five types of social status are vertical status, radial status, corporate status, symbolic status, and normative status. Vertical status increases along with an actor’s wealth or rank, radial status increases as an actor gains work or family life, corporate status increases as an actor’s memberships increase, symbolic status increases as does an actor’s knowledge or conventionality, and normative status decreases as more social control is applied to an actor’s behavior. The three types of social distance are relational distance, organizational distance, and cultural distance. Relational distance varies inversely with the amount of intimacy between two or more actors, organizational distance increases as the number of common memberships held by actors decreases, and cultural distance decreases as actors become less different culturally (e.g., speak the same language or wear the same style of clothes).

3. Broadly speaking, there are five distinct forms of social behavior that are explainable within pure sociology: wealth, community, organization, culture, and social control. For example, social structure has been used to explain variation in welfare (Michalski 2003), predation (Cooney 2006; Cooney and Phillips 2002), ideas (Black 2000), medicine (Black 1998, pp. 164–165), and art (Black 1998, pp. 168–169). The paradigm has been particularly fruitful in its theoretical explanations of various forms of social control, including law (Black 1976) and retaliatory violence (Black 1983; Cooney 1998; Phillips 2003; Phillips and Cooney 2005).
likely to be involved in surveys, interviews, experiments, observations, or analyses.

Jacques and Wright (2008a, forthcoming-a, forthcoming-b) are in the process of developing a preliminary “theory of method,” or “theory of research,” nested within the paradigm of pure sociology. The goal is to determine what sociological factors affect the amount of research between situations. Broadly speaking, they attempt to answer the question: how do the wealth, community integration, organization, knowledge, conventionality, and respectability of both researchers and research participants affect variability between situations in the amount and quality of research that occurs?

For instance, Jacques and Wright (2008a) propose that the amount of prior interaction between researchers, recruiters, and population of potential research participants might affect research employing snowball sampling (see Wright, Decker, Redfern, and Smith 1992). They theorize that as a researcher, recruiter, or potential participant becomes closer in “relational distance” (i.e., more intimate), the more likely that person is to be recruited for research, and the higher is the quantity and validity of the data obtained. For example, the theory predicts that a researcher’s or recruiter’s friends are more likely to be recruited for research and to provide data than are strangers.

Another aspect of their preliminary theory suggests that research participants’ normative status, or respectability, affect research. By definition, as more social control, such as law, is applied to a particular actor, that actor’s normative status (respectability) is said to decline. Jacques and Wright (forthcoming-a) suggest that as the normative status of a research participant decreases, that person’s likelihood of being recruited for research increases, but the amount of valid data provided by that actor decreases. This theory predicts, for instance, that in comparison to “free offenders,” incarcerated offenders (who are therefore lower in normative status) are more likely to be recruited but less likely to provide valid data.

Above, the question was posed: what unethical factors might affect IRBs’ (dis)approval of research? This question is relevant to explaining research because, as discussed in detail below, IRBs likely influence the amount and quality of research conducted. Therefore, this paper now draws on the perspective of pure sociology to conceptualize and theorize (dis)approval of research by IRBs. This is followed with a preliminary theory of how IRBs’ decisions affect research.

Social Control, Research, and IRBs

Social control is a social behavior defined as “how people define and respond to deviant behavior” (Black 1998, p. 4). Social control is a ubiquitous feature of social life: “it includes punishment of every kind—such as the destruction or seizure of property, banishment, humiliation, beating and execution,” and also includes compensation, avoidance, toleration, and “various modes of intervention by third parties, such as mediation, arbitration, and adjudication” (Black
Thus, social control exists wherever and whenever an actor defines or responds to the deviance of another actor.

IRBs are the foremost actor involved in the social control of research. Although IRBs' control over research is first and foremost a means of protecting research participants, it is also a social behavior that can be quantified and, thus, theoretically explained. When viewed through the theoretical lens of pure sociology, IRBs appear to be a particular kind of social actor that applies social control in particular social situations—research involving human beings conducted in the USA or with US-based funding.

An IRB is defined as a group that applies social control to researchers by requiring modifications to or stopping (prohibiting, suspending, or terminating) their research involving human participants. Human researcher is defined as a social actor who obtains data through experiments on, communication with, or observation of humans. Human research participant is defined as a social actor who participates in research by being experimented on, communicated with, or observed by a researcher. The mission of IRBs is to apply social control to human researchers so that human research participants are not treated unethically.

IRBs, researchers, and research participants are entangled in a particular form of social control—settlement. Settlement is defined as "the handling of a grievance by a nonpartisan third party" (Black 1998, p. 85). There are different kinds of settlement, including mediation, arbitration, and adjudication (Black 1998).

IRBs are the judges—or "settlers"—of science: they make decisions about the ethicality of research and make sure unethical research does not occur. The (potential) "offenders" in these cases of settlement are researchers. The (potential) "victims" are human research participants.

IRBs apply social control to researchers on behalf of research participants and this is, by definition, settlement. The goal of pure sociology is to specify how social structure—meaning the relative social status of persons involved in research and the social distance between them (see Black 1998)—affects IRBs' settlement behavior, or more specifically their (dis)approval of research.

This paper addresses the questions: how do the wealth, community integration, organization, knowledge, conventionality, and respectability of both researchers and research participants affect the amount of social control applied by IRBs to research? In turn, how does the amount of social control applied by IRBs to research affect the amount of research participated in by researchers and research participants?

IRBs' (Dis)Approval as a Quantitative Variable

IRBs' role in social control, or settlement, can be broken down into a series of distinct social behaviors, all of which are quantifiable variables that can

4. Each IRB consists of a group of at least five persons of varying economic, social, and professional backgrounds, including at least one scientist and one non-scientist, and at least one person who is not part of the research institution (Citro et al. 2003).
be measured empirically. When a research proposal is submitted to an IRB, the committee can take one of three major lines of (social) action: reject the proposed research, require modifications, or approve it (Citro et al. 2003; Taylor 2007). Thus, we can conceptualize IRBs’ (dis)approval of research proposals as a social behavior that is quantifiable and empirically measurable: IRBs’ disapproval of research is greatest when they reject a proposal, smaller when they ask for modification, and smallest when they approve the project.

Once a research proposal is approved by an IRB, it maintains the right to suspend or terminate the research. Again then, we can conceptualize IRBs’ (dis)approval of research projects as a social behavior that is quantifiable and empirically measurable: IRBs’ disapproval of research is greatest when they terminate a research project, smaller when they suspend it, and smallest when they do nothing to inhibit progress.

In sum, then, IRBs’ social control of researchers (i.e., settlement between researchers and research participants) is a quantitative variable: (1) an IRB’s social control is smallest when it approves a research proposal (without asking for modifications) and does not later suspend or terminate the research project once in progress, (2) an IRB’s social control is larger when it asks for modifications to a research proposal but does not later suspend or terminate it, (3) an IRB’s social control is larger still when it approves of a research proposal but later suspends or terminates the project, and (4) an IRB’s social control is largest when it rejects a research proposal outright and never allows the research project to begin.

Toward A Theory of IRBs’ (Dis)Approval of Research

As discussed above, prior research and experiences show that the amount of social control applied by IRBs to research varies across time and space, even when holding constant the ethicality of the research under review (Baer 2005; Citro et al. 2003; Lincoln and Tierney 2004). This raises the question: what other factors might affect IRBs’ (dis)approval of research? In this paper, we will attempt to answer that question by proposing a preliminary theory of IRBs’ (dis)approval of research anchored in Black’s (1976) theory of law. The presentation of this theory is followed by an examination of its implications for understanding variation in the amount of research conducted.

Black’s Theory of Law

There are at least two “models” of law: the jurisprudential model and the sociological model. The jurisprudential model is practical, concerned with how cases should be decided. The sociological model is scientific, concerned with how cases are actually decided. The jurisprudential model is used to
reach decisions. The sociological model is used to reach explanations” (Black 1989, p. 21, emphasis added).

Black’s (1976) theory of law is a sociological model of law. Law is a social behavior defined as "governmental social control. It is, in other words, the normative life of a state and its citizens, such as legislation, litigation, and adjudication” (Black 1976, p. 2). Like IRBs’ (dis)approval of research, law is a quantitative variable that can be empirically observed and measured. In broad terms, “the quantity of law is known by the number and scope of prohibitions, obligations, and other standards to which people are subject, and by the rate of legislation, litigation, and adjudication” (Black 1976, p. 3). Law increases with every additional act of legislation, interrogation, arrest, prosecution, or imprisonment.

Black’s theory of law uses social structure to explain variation across conflicts in the quantity of law that emerges from them. The theory provides a number of propositions regarding how social structure affects law, some of which can be summarized as follows: the amount of law applied to an offender for a crime against a victim increases (1) as the social status of the offender decreases, or (2) as the social status of the victim increases.5

This theory predicts, for instance, that an offender who is rich, employed, married, college educated, belongs to the racial/ethnic majority, and does not have a criminal record will be punished less for a crime than is an offender who is poor, unmarried, unemployed, uneducated, belongs to a racial/ethnic minority, and possesses an extensive criminal record. The theory also predicts that crimes against victims who are relatively high in social status will be punished more harshly by the government (for empirical evidence, see Beckett, Nyrop, and Pfingst 2006; Pettit and Western 2004; Phillips, 2009).

A Theory of IRBs’ (Dis)Approval of Research

Just as there are at least two models of law, there are also at least two models of IRBs’ disapproval of research: the ethical model and the sociological model. The ethical model of IRBs’ (dis)approval is concerned with practical matters, specifically how cases should be decided. As already noted, the key principles set out in the Belmont Report—respect, beneficence, and justice—are the foundation for the ethical model that guides IRBs’ (dis)approval of research (Citro et al. 2003). IRBs use an ethical model to make decisions about which research is right or wrong in its treatment of human participants. According to the ethical model, research should be (dis)approved depending on whether research participants (should and do) have informed consent, the research’s benefits outweigh its costs, participant

5. Holding constant the nature and severity of the crime (see Black 1976, 1998).
selection is equitable, participation is kept confidential (when it should be), and harms are minimized.

On the other hand, a sociological model of IRBs’ (dis)approval expects the amount of social control applied to research to depend on more than ethics. The theory to be presented below is a sociological model of IRBs’ (dis)approval of research. The theory explains variability in IRBs’ (dis)approval of research as the outcome of variation in social structure.

Recall that IRBs’ (dis)approval of research is a social behavior that is quantifiable and empirically measurable. IRBs’ disapproval increases with every additional requested modification, rejection, suspension, or termination of research. Although IRBs’ (dis)approval of research and governments’ application of law are two distinct behaviors, they are analogous to each other in that both are forms of settlement behavior—the handling of a grievance by a third party (Black 1998), whether filed or foreseen.

If we reason by analogy (see Abbott 2004), Black’s (1976) theory of law suggests that the likelihood of research being disapproved by an IRB depends on the social structure of the case. As discussed above, there are three kinds of actors principally involved in any given IRB’s (dis)approval: IRB(s), researcher(s), and human research participant(s). IRBs are analogous to governments—they decide the fate of cases. IRBs, like governments, are settlement agents. Human research participants are analogous to, indeed sometimes are, crime victims—they are wronged. Like crime victims, human research participants are protected by settlement agents, namely IRBs. Researchers are analogous to criminals—they are capable of and sometimes take part in unethical behavior. Like criminals, researchers are socially controlled by settlement agents, namely IRBs.

If researchers are analogous to criminals, human research participants are analogous to victims, and IRBs are analogous to governments, then Black’s theory of law suggests the following falsifiable propositions:

- An increase in the social status of researchers leads to a decrease in IRBs’ disapproval of research.
- An increase in the social status of human research participants leads to an increase in IRBs’ disapproval of research.

In other words, the logic of Black’s theory of law leads to two predictions: researchers with higher social status are less likely to have their research modified, rejected, suspended, or terminated by an IRB, and research involving research participants with higher social status is more likely to be modified, rejected, suspended, or terminated by an IRB.

Empirically, these two propositions predict that as researchers increase or research participants decrease in wealth or rank, community integration, organization, knowledge, conventionality, or respectability, the amount of social control applied by IRBs to research decreases—that is, their disapproval decreases and their approval increases.
The Effect of IRBs’ (Dis)Approval on Research

What are the implications of this theory for research? Research is a social behavior that can be quantified, measured, and theoretically explained. In other words, we can predict what situations, persons, and groups are most likely to be involved in research. Research is defined as the process of recording or analyzing information, and it increases with every additional datum collected or analyzed. Research is greater when there are more surveys, interviews, experiments, observations, or analyses.

It seems likely that IRB disapproval reduces the amount of research done. If an IRB deems a project to be unethical, then it is prohibited and is supposed to stop (Citro et al. 2003). Criminologists are well aware, however, that prohibition does not always have the effect of stopping crime, and it is probably also true that prohibitions by IRBs do not always stop research (see Katz 2006). Nevertheless, it seems reasonable to believe—at least for the time being—that researchers typically conform to the demands of IRBs and abandon, at least temporarily, their prohibited research (see Feeley 2007; Hamburger 2007). This suggests the following common sense yet falsifiable proposition:

- **An increase in IRBs’ disapproval of research leads to a decrease in research.**

This proposition predicts that the more often an IRB rejects or requires modifications to a research proposal, or the more often an IRB suspends or terminates an ongoing research project, then the less research is conducted. Put differently, as IRBs’ disapproval increases, there should be fewer surveys, interviews, experiments, or observations involving human research participants and, in turn, fewer analyses. We might call this the “deterrent effect” of IRBs on research.

If we combine the proposition directly above with the two propositions deduced from Black’s (1976) theory of law, we arrive at two more falsifiable propositions:

- **An increase in the social status of researchers leads to a decrease in IRBs’ disapproval of research, which, in turn, leads to an increase in research.**
- **An increase in the social status of human research participants leads to an increase in IRBs’ disapproval of research, which, in turn, leads to a decrease in research.**

Thus, combining the logic of Black’s theory of law with the commonsense hypothesis that greater disapproval of research by IRBs leads to less research provides the logical foundation for the argument: higher status researchers and lower status research participants are involved in more research because IRBs are more approving of such projects.6 Stated more simply: as the status of a researcher increases or the status of a participant decreases, research increases because IRBs apply less social control to it.

6. Holding constant the nature, costs, benefits, and ethicality of the research.
Empirically, the above propositions predict that as researchers increase or research participants decrease in wealth or rank, community integration, organization, knowledge, conventionality, or respectability, the amount of social control applied by IRBs to research decreases and, in turn, research increases.

An Empirical Illustration of the Theory

Qualitative data are useful for exploring ideas, developing theory, and facilitating new lines of research. This research note provides original empirical evidence for the above propositions by describing our own experience in gaining IRBs’ approval for two separate (yet related) studies of unincarcerated drug dealers. Although far from definitive, this experience is useful in illustrating the above propositions because the two cases were marked by a number of status differentials for both the involved research participants and researchers.

Academic Rank and Social Status

Academic life is stratified by rank, which is an aspect of social status (Black 1976, p. 16). In the USA, there are four broad academic ranks: undergraduate student, graduate student, post-graduate student, and professor. Each of these ranks, in turn, has its own unique hierarchy: undergraduate students are freshmen, sophomores, juniors, or seniors; graduate students are either Masters or PhD students; and professors are either non-tenure track or tenure track, and, within the tenure track rank, are assistant professors, associate professors, or full or named professors. As an academic’s rank increases, then so too does their status. As well, and generally speaking, as the academic rank of a researcher increases, other aspects of that actor’s social status also increase (e.g., salary).7

7. At the present, whether or not academic rank is causing increases in social status (or vice versa) is not as important as the observation that academic rank—an aspect of social status—is positively correlated with other aspects of social status. For instance, academic rank is one aspect of vertical status, but so too is the amount of money an actor earns. As academic rank increases, so too does the amount of money (vertical status) earned: undergraduates are paid less by schools than are graduate students, graduate students make less money than post-graduate students, and students of all ranks make less money than professors. Another aspect of social status is community integration, or radial status, which increases in tandem with family and work life. It seems likely that as an actor’s academic rank increases, their radial status also increases. Undergraduates, for example, are less often married with children than are graduate students, who are less likely to be married with children than are professors. In addition, undergraduates tend to work less than graduate students, who tend to work less than professors. More so than the other forms of status, we should certainly hope to find that academic rank highly correlates with the knowledge, or symbolic status, of researchers. In other words, we should find that the researchers with the most knowledge are also the researchers with the highest academic rank. For instance, if it were possible to test all undergraduates, graduates, post-graduates, and professors with a standardized test that revealed their knowledge of science-related issues, then, presumably, undergraduates would have the lowest average score, followed by graduates, post-graduates, and professors.
Two Studies of Drug Dealers

As an undergraduate student, the lead author sought permission from the IRB for an interview-based study of 25 young, middle-class drug dealers. At the university concerned, it was mandatory for research proposals on which a student served as principal investigator (PI) to have a faculty member as Co-PI. Therefore, the IRB application had two principal investigators: an undergraduate and this actor’s mentor, an associate professor. Their first application was reviewed by the IRB, which subsequently asked for modifications to the proposal. After the PIs made the requested modifications, the proposal was resubmitted to the IRB where it was rejected outright. At this point, the two PIs submitted an official appeal that eventually led to approval of the project. From the time the application was first submitted to the day the project was approved, approximately six months had passed.

After graduating and completing 25 interviews with middle-class drug dealers, the lead author gained social status by becoming a PhD student at a different university. As at the previous institution, it was mandatory that all research proposals with a student as the PI include a faculty member as Co-PI. Therefore, the PhD student enlisted the help of his PhD supervisor, who was a full professor. The PhD student and full professor submitted a proposal to the IRB, seeking permission to interview 25 lower-class drug dealers. The IRB asked for slight modifications to the first proposal; the revised proposal was approved. From the time the application was first submitted to day the project was approved, approximately three months had passed—half the time it took to receive approval for a similar project on middle-class drug dealers conducted by an undergraduate and an associate professor.

The Effect of Status on IRBs' (Dis)Approval and Research

All of the above is relevant only in so far as it sheds light on how the social status of researchers and research participants might affect IRBs' (dis)approval of research. The idea that disapproval by IRBs decreases as the social status of researchers increases or as the status of research participants decreases is illustrated by the above-described experience: an application seeking an IRB’s approval to study drug dealers was returned for modification and subsequently rejected when the Co-PIs were an undergraduate student and an associate professor and the research participants were middle-class, but another application to study drug dealers was returned for slight modification but not rejected by the IRB when the Co-PIs were a graduate student and full professor and the research participants were lower-class.

What is more, the project on lower-class dealers took half as long to be approved by an IRB as did the project on middle-class dealers. This is important because it suggests that IRBs have a greater effect on reducing research when participants are higher and researchers are lower in status. Without IRB
approval researchers cannot conduct research, and this means that the faster IRB approval is obtained, the more research can be accomplished. Although each of the drug dealer studies referred to above resulted in 25 interviews (i.e., the same quantity of research), the lower-class project took half the time (i.e., had a greater rate of research), which is in part due to spending three fewer months under lock and key by the IRB.8

While admittedly anecdotal and far from conclusive, this experience aligns perfectly with the idea that as the social status of researchers increases or the social status of research participants decreases, then IRBs’ disapproval of research decreases and, in turn, the amount of research conducted increases (also see Baer 2005; Lincoln and Tierney 2004, p. 219).

Conclusion

IRBs have a real impact on the world by deciding whether research is “ethical” in its treatment of human subjects. This research note has argued that IRBs’ (dis)approval of research may be affected by more than the ethicality of research. When observed through the theoretical lens of pure sociology, IRBs may be seen as social control agents that apply the least control—or disapproval—to research involving higher status researchers and lower status research participants. In turn, we suggested that because greater disapproval by IRBs leads to less research, higher status researchers and lower status participants are more likely to be involved in research.

Limitations and Future Directions

This paper has two limitations: one theoretical and the other empirical. Theoretically speaking, the theory proposed in this paper almost surely does not—nor is it meant to—explain all of the variation in IRBs’ (dis)approval of research. Future work should attempt to specify the other components of a purely sociological theory of IRBs’ decisions, and alternative theoretical perspectives should be employed to develop a comprehensive theory (see, e.g., Zywicki 2007). How does psychology, rationality, culture, ecology, biology, or other theoretical factors affect variability in research between people, groups, and situations?

For instance, the social status of universities might affect IRBs’ settlement behavior. Black’s (1998) theory of moralism predicts that the higher the status of a settlement agent (e.g., IRB) in comparison to the disputants (e.g., researchers and participants), the more punitive settlement becomes. This suggests that IRBs affiliated with higher status institutions should be more disapproving of research than are IRBs affiliated with lower status institutions.

8. For findings from these research projects, see Jacques (2009) and Jacques and Wright (2008b, 2008c).
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(It might be worth noting that this prediction conforms to our own experience, as the IRB at the higher status school was more disapproving of our drug dealer research.) The point here simply is that our paper is far from exhaustive, and that future work should be devoted to both extending the theory we are proposing and to providing alternative explanations of IRBs’ disapproval of research.

Another limitation of this research note is that the evidence for the proposed theory is anecdotal and not put to the test. Although our own qualitative experience is useful in illustrating the theory, quantitative data and statistical analyses are necessary to determine its validity (Popper 2002). Unfortunately, quantitative data suitable for testing the theory presented in this paper currently are sparse or non-existent (see Bosk and De Vries 2004; Candilis, Lidz, and Arnold 2006; Citro et al. 2003). We urge researchers to take up the challenge of gathering data on the social characteristics and behaviors of researchers, research participants, and IRBs to determine with statistical analyses whether social status has a causal and substantial impact on IRBs’ (dis)approval of research. Moreover, researchers should test alternative theories of IRBs’ and research because the history of science shows that science progresses when theories are tested against each other (Kuhn 1977; Popper 2002).

Practical Suggestions

If research does not support the proposed theory, then researchers, participants, IRB members, and the larger society can rest easy knowing that IRBs do not discriminate based on social status. If, however, the theory presented in this paper is supported by empirical testing, researchers might consider taking conscious steps to take advantage of this finding. With this idea in mind, we conclude by providing theoretically situated, practical suggestions for how IRBs can reduce their discrimination against lower status researchers, and for how researchers can increase their output by reducing IRBs’ disapproval of their work:

(1) IRBs can reduce their discrimination against lower status researchers by consciously avoiding the collection of information on researchers’ social status. The ethical principles followed by IRBs do not require that board members know the identity of researchers—or their social status. Therefore, IRB members should not be given access to researchers’ identities or identifying details because to do otherwise risks discrimination. What we are suggesting, then, is that IRBs do what academic journals did long ago—adopt a socially “blind” review process so that researchers are treated equally (see Black 1989; Kan and Phillips 2003; Phillips 2008, 2009; cf. Katz 2006, 2007).

(2) Researchers with relatively low social status can reduce IRBs’ disapproval of their research by teaming up with higher status researchers; conversely, researchers with relatively high social status can reduce IRBs’ disapproval of their research by avoiding teaming up with lower status researchers. If it is
true that IRBs apply less social control to research involving higher status researchers, then the practical suggestion that emerges is for researchers to consciously maintain or increase their social status. For researchers with less status than others, the quickest way to increase one’s status (at least in the short term) is to conduct research with actors of higher status. For researchers with more status than others, the only way to maximize IRB approval is to avoid conducting research with lower status researchers. Thus, we suggest that in order to avoid social control by IRBs and increase research production, lower status researchers should pair up with higher status researchers, but that higher status researchers might want to avoid pairing up with lower status researchers.

(3) Researchers can reduce IRBs’ disapproval of their research by increasing their social status by obtaining knowledge about the ethical principles guiding IRBs and adhering to those principles in their research (see Bosk and De Vries 2004). Symbolic status increases in tandem with an actor’s knowledge. When IRBs are deciding on the ethicality of a research proposal or ongoing project, their approval technically requires three things: informed participant consent, costs do not outweigh the benefits, and participant selection is equitable. A key argument in this paper is that IRBs apply less social control to research when the participants are of lower social status. This provides a conundrum for researchers—should they increase their chance of IRB approval by researching actors of lower status but behave unethically in doing so by not adhering to the principle of justice, or should they adhere to the principle of justice and select participants of all social statuses and thereby risk a greater likelihood of their research being modified, rejected, suspended, or terminated by IRBs?

The answer to this riddle is for researchers to remain ethical and, at the same time, use knowledge of IRBs’ ethical guidelines to persuade these groups that research involving persons of varying social statuses is especially ethical because it adheres to the principle of justice outlined in the Belmont Report. In short, we are suggesting that—whenever possible and ethical—researchers should intentionally recruit research participants with varying degrees of social status; doing so conforms to the principle of justice, thereby increasing the ethicality of research and, at least in theory, reducing the amount of social control applied by IRBs to research and, in turn, increasing its production.

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9. As seen in our own experience, this strategy is forced onto many student researchers who are not allowed to submit a project for IRB approval unless a professor acts as Co-PI.
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