

## **Ethics and practicalities of cooperative fieldwork and analysis**

*Arienne M. Dwyer*

### **0. Introduction**

This chapter examines central ethical, legal, and practical responsibilities of linguists and ethnographers in fieldwork-based projects. These issues span all research phases, from planning to fieldwork to dissemination. We focus on the process of language documentation, beginning with a discussion of common ethical questions associated with fieldwork: When is documentation appropriate in a particular community, and who benefits from it? Which power structures are involved, both in and out of the field? Section 1 explores key concepts of participant relations, rights, and responsibilities in fieldwork in the context of ethical decision-making. It introduces a set of guiding principles and examines some potential pitfalls. Section 2 discusses the legal rights issues of data ownership (intellectual property rights and copyright) and data access. Such information aids planning before fieldwork and especially the archiving phase.

Sections 3 and 4 cover the more concrete practical aspects of the fieldwork situation: developing a relationship with a speech community and organizing and running a project. We survey what may be termed "the five Cs" critical to planning and executing a project: criteria (for choosing a field site), contacts, cold calls, community, and compensation. Finally, since even the best-planned projects encounter logistical and interpersonal challenges, we present several generic case studies and some possible methods of resolving such disputes.

Such ethical and logistical planning is essential to successful community-centred knowledge mobilization, from which documentation products useful for both academics and community members are produced in an environment of reciprocity. It is the linguist's responsibility to focus on *process* (Rice 2005: 9) as much as the end goals.

### **1. Ethics**

#### **1.1. Research as mediation**

Ethical behaviour is often assumed to flow intuitively from the noble goals of scientific research. Most fieldworkers consider themselves well-intentioned, rational people. But have all participating individuals and groups been considered in these research goals? Have their ethical standards been considered?

Fieldwork methodology has in the last decades progressed from a typically non-cooperative model (research *on* a community) to a cooperative model which in its strongest form explicitly empowers speech communities (research *on, for, and with* a community) (Cameron et al. 1992: 22-24). Assumptions about what is ethical for a particular field situation are best avoided, especially assumptions on the part of the researcher about what participants want. The researcher should also have a grasp of the legal implications (local, national, and international) of data ownership. An understanding of ethical and legal responsibilities also facilitates the building of trust — and thus a successful relationship — with a community research team. Finally, making ethical and legal premises

explicit, helps to anticipate and avoid problems. A field researcher *mediates* between speakers, their communities and the fieldworker's own community, which includes an institution, a funding body, and possibly an archive. Inevitably, all participants in a language documentation will face ethical dilemmas, in which no course of action seems quite satisfactory. There may be "no right decision, only... [one] 'more right' than the alternatives" (Hill, Glaser and Harden 1995: 19).

Distilled to its essence, the ethics of field research entails indigenous people and field researchers mediating each other's cultural imperatives. This contextualization of ethical principles can only occur through productive mutual negotiation at the local level. The ethical principles presented here may seem as both imperious and overly generic, given that in this chapter broad-brush principles are often preceded by the cajoling imperative *should* or the bossy *must*. But these are suggestions awaiting contextualization in a particular research situation. And this mediation of ethical principles by all participants forms the nucleus of any research project.

## 1.2. Normative Ethics

### 1.2.1. Documenting endangered languages as a normative framework

The ethical decisions made during fieldwork belong to the domain of *professional ethics*. Since many field research networks also create codes of conduct, we are also concerned here with *normative ethics*. Normative practices attempt to prescribe best-practice standards for field situations.

A research team might make the normative decision to adhere to a detailed set of ethical *principles* determined in advance, asking "is our aim just to evaluate the resolution of past ethical dilemmas in the field by consensus?" Normative guidelines generally follow a deductive or an inductive approach. Some researchers review such a list of field experiences and attempt to achieve consensus on future ethical research behaviour.

Another less normative approach might simply be to observe and note the ethical dilemmas that appear. This descriptive list of relevant field dilemmas and how they were resolved could serve as a reference for future field researchers. An example of a less normative approach is the "do no harm" credo discussed below.

The dangers of excessive normativity are well-known; colonial subjugation, religious or cultural conversion-induced linguicide, and business profit are all examples of normative frameworks which are tendentially destructive. Such frameworks are assumed by their proponents to be universally held, and universally beneficial.

Claiming that languages *should* be documented before they disappear is also a normative act, and it is a framework in which not everyone believes.<sup>1</sup> But most researchers strongly support the documentation of endangered languages, arguing that a decline in linguistic diversity constitutes a decline in specific forms of knowledge and expression. Speakers of endangered languages also often support such a normative framework, since language is a central part of culture and of ethnic identity. Should a language be documented when its speakers would prefer it to disappear? How should community priorities and external western-scientific priorities be weighed? Many would argue that documentation should make the language available to future generations; most would also argue that both sets of priorities should be accommodated, to the extent possible.

### 1.2.2. Balancing priorities

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<sup>1</sup> Cf. Kenan Malik's 2000 article "Let them die" Online: [www.kenenmalik.com/essays/die.html](http://www.kenenmalik.com/essays/die.html).

Since field linguistic situations are so diverse, one-size-fits-all codes of conduct are impractical. Codes of conduct are voluntary and often largely unenforceable, but good guidelines help ensure good working relationships and a positive research outcome. For the sake of methodological transparency, and for smooth communications between all parties, some norms are always part of the field experience.

Most research teams choose a pragmatic approach, making use of both explicit ethical guidelines as well as drawing observations from specific field experiences.<sup>2</sup> No matter what form is chosen, research teams would do well to make explicit the ethical norms of their particular project.

### 1.2.3. Normative ethics in language documentation

Individual teams should establish a code of ethical norms specific to their particular area for a given research project. This code would encompass detailed guidelines on consultation and negotiation between indigenous people and researchers for all phases of the research, including planning and dissemination.

Since such voluntary normative approaches have proven useful, the scientific community can aim at establishing a two-tiered, flexible ethical code for linguistic field research: a *generic code* of putatively universal ethical norms, and as above a specific *individual code* for a research on an ethnic group in a particular area, created by individual researchers.

At present, linguists lack a generic code of conduct. Ideally, field linguists will work with the country's linguists and social scientists to devise this generic code. This code would be specific for field linguistics but could be modelled on existing well-articulated guidelines (such as the Australian Institute of Aboriginal and Torres Strait Islander Studies' *Guidelines for ethical research in indigenous studies* (AIATSIS 2000), the African Studies Association's *Guidelines for ethical conduct in research and projects in Africa* (African Studies Association n.d.), and the American Anthropological Association's *Code of ethics* (AAA 1998). Though the above are designed as regional codes, they are actually generic enough as to be potentially applicable to any world region.

A generic statement on ethical principles should address all phases of research: planning, fieldwork, analysis, archiving, and end products. Planning ethically for each phase entails assessing the roles played by participants and the potential benefits and detriments of research; it also ideally includes local participants' participation at every phase. In the *planning* phase, researchers should identify all the potential participants (see 1.3 below), including sponsoring institutions, and estimate remuneration for local participants. During *fieldwork*, the researchers establish and maintain relationships, and negotiate contracts or protocols for obtaining data. It is at this crucial phase that the researchers must obtain informed consent (see 1.5 and 2.2.1 below). The *analysis* phase includes such normative ethical decisions as the number of minimally adequate levels of annotation. Annotation decisions are questions of ethics, as what annotation is included will determine the accessibility of the materials to particular audiences.<sup>3</sup> During the *archiving* phase, the researcher must carry through the

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<sup>2</sup> The DOBES groups, for example, have used both normative and non-normative solutions: for fieldwork, many individual teams relied on the non-normative list method. At the same time, participants in the pilot projects developed an overall ethics and rights framework for not only fieldwork teams but including, importantly, the archivist and the end users. A summary of the rights issues they identified is Hiß 2001; a later, amended version appeared as Wittenburg 2001–2002.

<sup>3</sup> Annotation solely in linguistic transcription and/or very theoretical linguistic tiers (e.g. prosody and syntax) would be impractical for the vast majority of speaker-community members. If other tiers are included (e.g. a practical orthography tier and a translation into the major regional language), however, the additional inclusion of linguistics-oriented tiers is not at all problematic.

wishes of consultants in terms of anonymity and recognition by making speakers anonymous; decisions must be taken on user access to the materials (community, scientific researchers, general public) and which materials are to be accessed.

In the longer term, such codes of conduct could be developed for specific regions (countries or ethnolinguistic areas), based on a comparison of individual codes of conduct from the same area. This would result in a third tier of guidelines, a *regional code*. Though regional codes are the least critical of the three types of guidelines, such a code would outline certain region- or country-specific practices spanning a number of ethnic groups for a given area, e.g. archival practices for material from a consultant who passed away since the data collection.

### 1.3. Players

The practical application of ethical principles entails the specification of ethical and legal relationships between all participants in the documentation process. These relationships should be made explicit and clearly differentiated.

First, consultants (speakers/singers) are part of a certain sociocultural context in a certain country (see Figure 1). The sociocultural context consists not only of the speaker community itself but its relationship nested within local society. Then, the interaction between researcher(s) and consultant(s) occurs within a regional and national context, which includes governments, officials, subject experts, and eventually users of the analyzed data. Speaker-consultants are part of both linguistic and administrative communities; language communities are usually part of larger ethnolinguistic or ethnoreligious regions. These regions, in turn, may be contiguous with or reach across provincial or national boundaries.

The roles and perspectives of participants are gradient and dynamically created. We can use “insider/outsider” as shorthand to describe two extremes of how a researcher situates himself or herself with regards to the research situation, as well as how other participants view that researcher. The researcher might be an insider (i.e. accepted as a member of that community) or an outsider (from a distant community, whether in that country or in another). These roles are gradient rather than absolute, since a foreign researcher and a native speaker from a distant community may both be considered “outsiders” from the community under investigation. A local researcher often assumes multiple insider/outsider roles: it is often the case that a researcher is part of the ethnolinguistic group, but not or no longer from the particular community. In this situation, that researcher is both an insider and an outsider. The distinction may be relevant for research planning, as it often facilitates research to work with a person from the actual community under investigation.

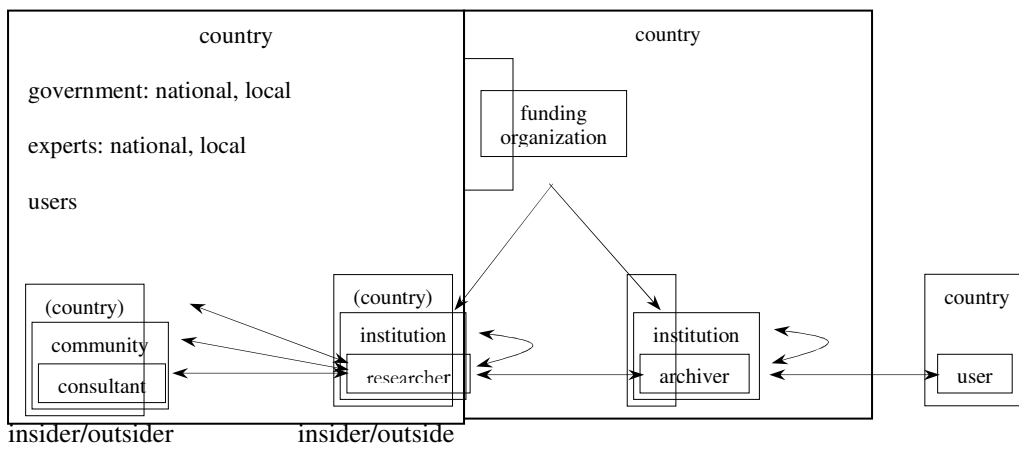
Furthermore, researchers’ institutional connections play an important role in determining both the direction and scope of the research. Every institution has its own agenda. If a researcher is funded by a university in that nation’s capital, for example, in some cases he/she might be expected to produce a study that enhanced that country’s ethnic policy. A researcher from overseas might, in contrast, be subtly pressured by the home university or the funding agency to quickly obtain a lot of data and produce publications, while overlooking the need for reciprocity with the speech community. Creating research products useful to communities is an issue which will become more and more central to the ethical practice of the research enterprise, though currently grant funding is mostly limited to products for a scientific audience.

Institutional affiliations almost invariably insinuate themselves into the power relationships between players. Though outsiders may be regarded with more suspicion than insiders, the affiliations of outsiders generally are seen as prestigious. Usually enhancing this prestige is the economic means of the researcher as a result of the funding.

Then in this web of relations there is the archive, in which the researcher deposits his or her materials. Though requirements of the granting agency vary, each has specific guidelines for data depositing and use. Finally, the archive disseminates data to users.

That these players — individual fieldworkers, communities, research consortia, funding agencies, archives and users — may all be located in different countries has legal implications for the storage, ownership, transfer, and publication of the data (see 2 below). But more important to the success or failure of a given research collaboration are the shifting and highly contextual nets of power and belonging (insider/outsider) between these players. A research project on any scale would do well to evaluate both these legal and social relationships in the planning stage.

Figure 1. Participants in Linguistic Fieldwork (Adapted from Hiß 2001, Wittenburg 2001)



#### 1.4. Ethical Principles

Heritage can never be alienated, surrendered or sold, except for conditional use. Sharing therefore creates a relationship between the givers and receivers of knowledge. The givers retain the authority to ensure that knowledge is used properly and the receivers continue to recognize and repay the gift. (Daes 1993: 9).

We can outline the following five fundamental ethical principles for language documentation:

##### **Principle (1) Do no harm** (including unintentional harm)

Though inarguable, this maxim requires individuals to specify what “harm” means in the specific local context. Since research is a kind of prying, protecting privacy largely concerns deciding which information to protect from public view. Harm to privacy may come from revealing information that discredits a person (Thomas and Marquart 1987: 90).

There are, of course, many kinds of inadvertent harm. For example, publicizing one person’s name might result in embarrassment, whereas *not* publicizing another’s name may be viewed as a slight. Moreover, the people with whom an outsider-researcher associates could be stigmatized by the community for giving away cultural or even national security secrets, for example, which might lead to trouble with community leaders or police. Also, since many researcher-consultant exchanges involve compensation, unintentional harm can be caused by arousing financial or material envy in the

indigenous community.

Part of fairness is being attentive to relative compensation: what one person acquires in material or political gains as a result of participation may cause envy or ill will in others in the community. Such attentiveness requires researching not only what is the appropriate *form* of compensation (e.g. money, goods, recognition) and the appropriate *amount*, but also requires knowledge of project participants' *status* in and *relationship* with the community (see 3.5).

Gifts or payments of goods or money, where culturally appropriate, compensate for both the expertise of another individual and the inconvenience caused him or her. Even where no overt compensation changes hands, the core participants create a dynamic of reciprocity, whereby the gift of language knowledge is reciprocated by the researcher in some way, e.g. by compiling a community course book. After all, the term compensation literally means 'hanging together.' Underlying this equilibrium is the second principle that we might simply articulate as:

### **Principle (2) Reciprocity and equity**

The research relationship must be *consultative*, *continuously negotiated*, and *respectful*. Accommodate community input into your research goals, or, better yet, plan the research collaboratively with the indigenous community. Re-negotiation of methodologies and goals is a normal part of this process. Part of the culture of respect is acknowledging that one's viewpoints may not be universally held. The researcher should also respect both the indigenous knowledge system under study and respect the confidence and trust of individual participants.

One area of normative ethics that modern researchers generally think of right away is the idea of "giving something back" to the community. This notion is not altruistic, but rather reflects the consideration that when researchers enter a community, they disturb it at least temporarily, and also take data away. Even with compensation, research behaviour is nearly always a lopsided proposition, with clear benefits accorded more to the researcher than the community. Thus many researchers in recent years have come to feel strongly that they should additionally compensate communities with scientific products or even economic development aid. Therefore, our generic code also includes:

### **Principle (3) Do some good (for the community as well as for science)**

What constitutes a generous act of "giving back" varies greatly depending on community needs. Such acts are more abstract than mere compensation for a consultant's time; they are also never 1:1, in the sense that a researcher can never repay a community for the rich but nonetheless snapshot-like view of the culture obtained during a particular field research experience.

The most common examples of "giving back" include preparing pedagogical and cultural materials useful to the community, such as promulgating an orthography, developing textbooks and primers, making audio CDs, VCDs and documentary film, and creating picture books on material culture, e.g. embroidery or architecture.

### **Principle (4) Obtain informed consent before initiating research**

It is critical for the researcher to establish an agreement with data producers (speakers, singers and/or a community) to record, archive and disseminate these data. Researchers are ethically obligated to inform data producers of all possible uses of the data so as to implement the do no harm principle above. Permission should be recorded in a culturally appropriate form: written, video or audio-taped. A detailed discussion of the issues and procedures in informed consent are found below in section

2.2.1.

Such mandatory contracts certainly encourage researchers to document permissions. However, in some local situations, unrecorded oral contracts may be most conducive to mutual trust, though they usually do not fulfil the legal requirements of IRBs (Institutional Review Boards).

### **Principle (5) Archive and disseminate your data and results**

Researchers must avoid being buried with their unpublished field notes and recordings. Within bounds of informed consent, those working with endangered-language communities have an obligation to appropriately store and publish data and analyses. Even in imperfect form, ordered, shared data are more useful than no data; disseminating or at least properly archiving collected data is far more respectful to a speaker community than piling it in the back of a closet. Hence, many field researchers now believe that best-practice archiving (cf. EMELD 2000–2005) and dissemination (in any format) should be a requirement of fieldwork.

Such principles sketch out the bare minimum in ethical linguistic fieldwork practice. For more elaborated documents, see AIATSIS (2000) and the African Studies Association (n.d.).

## **1.5. Potential problems: some examples**

### 1.5.1. The observer's paradox and covert research

The requirement of obtaining informed consent rules out *covert research*, i.e. recording without speaker's knowledge. The deception inherent in covert research renders it taboo for many who do fieldwork. Yet many social scientists routinely pretend to be ordinary citizens in order to obtain a naturalistic view of their research subjects: they for example join a group that believes in UFOs, work desk jobs for the sensationalist newspaper *Bild Zeitung* or staff a Wal-Mart store to reveal the group or corporate practices (Wallraff 1977, Ehrenreich 2002). Such fieldworkers and journalists will vociferously defend their enterprise.

In anthropology and linguistics fieldwork, a researcher's presence changes the phenomena under observation, often making conversation less spontaneous. Most field workers simply attempt to minimize the intrusiveness of their presence (the so-called *observer's paradox* (Labov 1971:171) by, for example, using a small recording device, or by having native-speaker insiders conduct the field research. These methods have provided adequate data and have been seen as ethically sound by the majority of field linguists and community researchers.

However, since the observer is always intrusive to some extent, some language researchers have decided to make surreptitious recordings. This issue is so controversial among language researchers and language activists that it is usually dismissed out of hand. But such practices do exist, and therefore merit some discussion here. Covert recording has been reviewed by Allen (1997) and defended by Larmouth et al. (1992), who examined U.S. state and federal laws. Harvey (1992) argues that occasional surreptitious recording simply constitutes a greater degree of non-disclosure in a research environment where all researchers inevitably withhold some information from native speaker-consultants. (For example, a researcher may ask a consultant to converse freely when she is really only interested in the relative clauses produced.) When not based on clearly-delineated ethical principles, though, this rationalization for covert research is untenable.

When might covert research be acceptable for some linguists, then? One technique which

appears to satisfy both the need for spontaneity and informed consent is the following: (1) recordists and speakers already have a trusting working relationship; (2) researcher surreptitiously records spontaneous speech of said speakers, if and only if (3) the subject of the speech is estimated to be non-sensitive, and (4) the speakers are *immediately* afterwards given the option of informed consent, i.e. they listen to the recording to decide whether or not it should be erased or kept.

Community members and outside researchers together must develop a policy on covert recording for every research project. If covert research is allowed, then the terms should be specified. One model is the American Sociological Association's statement (1997: sect. 12.05).<sup>4</sup>

Nonetheless, the ethics of covert research are far from clear-cut. Thomas and Marquart (1987:11–12) argue that ethics codes and academic goals are often completely contradictory. They suggest that rather than rationalizing behaviour, academic researchers should instead squarely face each ethical dilemma as a matter of *honour*: “The operative question should not be ‘Does behaviour violate the ASA ethical code,’ but instead ‘Did the researcher, in this given situation, act honourably?’” Most important, however, is whether or not local people accept as ethical post-facto consent to surreptitious recordings. If there is any doubt, it is best to avoid covert recording entirely.

### 1.5.2. Change in permissions

Sometimes a speaker who has given permission for material to be used in research and/or publicly disseminated later wants it removed. . The researcher or archivist faces the dilemma of whether or not to remove the material, even though archiving was one of the original goals of that recording session. It is best to be explicit about the consultant's future rights to the recording at the time of recording.

### 1.5.3. When a previously uninvolved party becomes involved

A linguist wants to contribute a legacy recording<sup>5</sup> to an archive, but then a grandson of the speaker objects, saying that the rights to the recording now belonged to him. If an archive does not have an explicit policy, then the two parties must attempt to mediate these situations, based on the original agreement and on the cultural norms of the speaker community.

### 1.5.4. Ensuring accessibility

What good is an electronic archive to native speaker communities, especially if they lack Internet

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<sup>4</sup> The American Sociological Association's statement reads in part: (a) Sociologists do not use deceptive techniques (1) unless they have determined that their use will not be harmful to research participants; is justified by the study's prospective scientific, educational, or applied value; and that equally effective alternative procedures that do not use deception are not feasible, and (2) unless they have obtained the approval of institutional review boards or, in the absence of such boards, with another authoritative body with expertise on the ethics of research. (b) Sociologists never deceive research participants about significant aspects of the research that would affect their willingness to participate, such as physical risks, discomfort, or unpleasant emotional experiences. (c) When deception is an integral feature of the design and conduct of research, sociologists attempt to correct any misconception that research participants may have no later than at the conclusion of the research. (d) On rare occasions, sociologists may need to conceal their identity in order to undertake research that could not practicably be carried out were they to be known as researchers. Under such circumstances, sociologists undertake the research if it involves no more than minimal risk for the research participants and if they have obtained approval to proceed in this manner from an institutional review board or, in the absence of such boards, from another authoritative body with expertise on the ethics of research. Under such circumstances, confidentiality must be maintained unless otherwise set forth in 11.02(b).

<sup>5</sup> A *legacy recording* is a recording made a number of years previously, usually on a project that is no longer active.



access? In addition to “giving back” tangible research products such as primers, the researcher should find ways to get offline electronic data to the communities. A researcher could even consider establishing WiFi (wireless) networks, if appropriate.<sup>6</sup>

#### 1.5.5. Management of the resources

When material is in an archive or a private collection, the question arises as to who represents the annotated data: the community, the researcher, or the archivist? Since it is inevitably some combination of these actors, it is wise to specify decision-making power in advance for the concerned parties. When one party, for example, wants to close the resource to the public, it is best to have protocols for making ultimate decisions.

## 2. Rights

### 2.1. Scope

Participants in linguistic fieldwork are subject to at least three separate juridical realms: (1) The laws of the country in which data recording takes place; (2) The laws of the researcher’s country; and (3) International law. Additionally, researchers may be subject to a regional transnational law, such as EU law for the DoBeS archive in the Netherlands. Within each of these realms, the distinction between *intellectual property rights*, *copyright*, and *access* is useful. Note that these issues are moot unless these rights are exercised (e.g., through a claim of ownership of material in an archive). Even then, there is little legal precedent testing protocols on rights and access to linguistic resources, until language archives accumulate several decades of experience with data rights.

### 2.2. Intellectual Property Rights (IPR)

Intellectual property rights concern the individual, group, local, and national ownership of so-called “creations of the mind,” e.g. books, musical performances, films and even folklore. The western notion of property rights may well have no indigenous conceptual counterpart. Nonetheless, a number of documents on indigenous knowledge and property rights have successfully attempted to respectfully address indigenous issues. These include Hansen and VanFleet (2003); AILLA (n.d.) IPR; and for New Zealand, Sullivan (2002).

#### 2.2.1. Informed consent

At a recording’s origin (i.e. at taping), it is necessary to obtain the informed consent of all parties. *Informed consent* is a negotiation between researcher and data producer/consultant of all future uses of the material: Who will access the data, where will the data be housed, in what form will it be stored, and who will make future decisions over its use. Informed consent does *not* simply entail the researcher informing the consultant of to what use he/she intends to put the data. Of course, linguistic and anthropological goals often overlap with but differ from community goals, so part of the consent process entails community members convincing outsider linguists of practical data uses, and

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<sup>6</sup> A former journalist named Bernard Krisher heads a successful solution to Internet access problems in impoverished areas. WiFi base stations mounted on motorcycles in northern Cambodia allow drivers to exchange email with networked schools and health clinics. Data is then posted on the Internet via satellite (Japan Relief for Cambodia 2003).

vice-versa.

Though informed consent has both ethical and juridical dimensions, academic institutions in certain countries have emphasized the legal aspects of such contracts. Many field researchers today, particularly those in North America and Australia, find that any of their projects involving direct work with people are subject to an obligatory institutional screening process.<sup>7</sup> Though such informed consent contracts are a positive development, universities need to establish a generic and more flexible consent template for linguistic and social science research in non-clinical settings under different cultural circumstances. For now, each researcher must tailor his/her own contract with his/her own Institutional Research Board.

There are three major types of consent documentation: written, verbal, and third-party.

—Written consent

The advantage of having so-called Human Subject Consent forms is that both parties have a written record of their agreement. The disadvantages, though, are legion among linguists: they require the anonymity of consultants (which is often inappropriate) and the written forms may breed mistrust. Therefore, field researchers often resort to verbal consent.

—Verbal consent

Verbal contracts should be recorded with audio or video devices if at all possible. Though western societies are insistent that written contracts are the only really binding forms of agreement, in many contexts a verbal contract can be equally or more powerful and binding than a written one. A spoken agreement requires at least two parties physically present, it requires eye contact, and it carries with it all the intertwining obligations and respect of a personal relationship between two people bound together in a social network. For a written agreement, by contrast, both parties need not be present nor have or maintain any sort of personal relationship. And this is why many people (e.g. indigenous peoples of the Americas) find oral contracts more binding than written ones: written ones can be torn up and forgotten, but not ones sealed by physical contact.

Furthermore, in a society with varying degrees of literacy, the written contract may wisely be viewed with suspicion, as it has often been the medium used historically by colonial powers to wrest property and land from indigenous peoples.

It has been difficult in the past to convince IRBs of the appropriateness of oral contracts in certain contexts. Even now, a researcher must make a case to these boards, who by definition represent the legalistic and writing-centred aspect of academic culture. However, today most IRBs accept oral contracts as legitimate.

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<sup>7</sup> In North America, the process is often known as Human Subjects Consent, obtained from a so-called Institutional Research Board (IRB) (known elsewhere as Research Ethics Boards, Institutional Ethics Committees, Human Investigation Committees, or Human Research Committees). This process was instituted in the mid-20th century as a belated reaction to egregious medical experimentation. The IRBs therefore generally have a medical bias, so that the process typically requires the linguist to explain social-science consent procedures to the IRB, establishing alternatives to written consent. For example, it is assumed that research occurs in the home country (and therefore legal system) of the IRB, in a clinical setting, and that all participants are literate, and have no reason to mistrust legal contracts. None of these assumptions is true in most endangered-language fieldwork settings.

Researchers in many European countries are not yet legally bound to obtain consent of any kind. Increasingly, however, academics from European institutions are ethically bound to do so.

—Third-party consent

The last type of consent entails making use of an intermediary such as a village leader to negotiate a contract between participants. The consent contract may be written or verbal, but using an intermediary may be the best way to quickly establish a modicum of trust between parties, and to facilitate communication between the research world and the community's world.

Issues requiring our attention with regard to consent include attending to *sufficient explanation*, that is, ensuring that one's goals are explained clearly in a culturally appropriate manner. Additionally, participants should anticipate as many future uses of the data as possible.

2.2.2. Some laws governing consent

Though it is not feasible to survey the consent laws of dozens of countries here, even when laws exist on the books in countries, these laws are too loosely defined to protect speakers and singers. Under U.S. law, for example, though the basic law is intended to protect data producers, certain details allow for an unacceptable degree of leeway. A person may generally record, film, broadcast or amplify any conversation where all the parties to it "consent." Yet the consent of data producers is presumed without asking, as long as the recording device is in plain view.<sup>8</sup> Such flexibility, though pragmatically appealing, leaves open the possibility of unethical behaviour. U.S. federal publications do recommend (but do not require) obtaining consent individually from *all* parties recorded. We can only second that recommendation here: Permission should always be obtained except where truly impractical, e.g. in a crowd situation with dozens of spontaneous performers.

2.2.3. World Intellectual Property Organization (WIPO)

The primary concern of the World Intellectual Property Organization is to protect the commercial value of intellectual property. When the data producer has a solid legal contract recognized by commercial institutions (e.g. as a recording artist would have with a recording company), then the WIPO generally protects both the data producer and the data recordist/mediator. When, however, the data producer–data mediator relationship is not part of a commercial enterprise (such as that of endangered language researchers and native speaker-consultants), the WIPO basically serves to open up language materials to potential commercial exploitation.

There are various proposals by the World Intellectual Property Organization for new *sui generis* rights in databases, folklore, and life forms. These independent rights essentially specify that rights can be bought and sold; thus a film company or a pharmaceutical enterprise could even buy rights to a certain body of folklore. Once purchased, "an utilization, even by members of the community where the expression has been developed and maintained, requires authorization if it is made outside such a context and with gainful intent" (WIPO 1998: 7; WIPO 1998-1999: 33). Critics see this as a potential for tyranny by the governments who would be authorized to enforce these ownership rights.

Enforcing such rights also has enormous practical barriers. "The fact that ethnic groups do not exactly coincide with national boundaries will make it hard to figure out which government would get to authorize activities and collect the tariffs for which body of folklore. For instance, would a Chicago polka band need [to] get clearance from and pay royalties to the Polish government?" (Lieberman

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<sup>8</sup> "In 38 of 50 [U.S.] states, the consent of only one party is required to make it legal to record a conversation. This is also the Federal law...." (Reporters' Committee 2004).

2000/2001).

Even if intellectual property rights are not a pressing legal issue in a given country or society, they are generally still an underlying ethical issue. These western, business-oriented notions must in one way or the other be squared with indigenous knowledge systems so that “intellectual property rights” as conceived by WIPO and other organizations do not go against the interests of indigenous peoples.

### 2.3. Copyright

The preponderance of resources on ethics and rights deal with copyright as a financial issue. *Copyright* refers to the ownership and distribution of a particular work: who owns what aspects of the result, and whether it is legitimate to distribute or publish the result. As a form of property, copyright can be inherited, given away, or sold.

The focus of copyright law is monetary: if a copyright is violated, the originator of the material will lose profits due her/him. This pecuniary focus is irrelevant for language documentation projects, since they are generally money-losing propositions, yet the inappropriateness of copyright laws does not prevent documentation projects from being subject to those laws.

Copyright law applies where the *copying* of the work is being done, not where the work copied was created. So if a theatre piece or a story was performed in Latin America but written down or reproduced in Canada, it would be subject to Canadian copyright law.

There are a number of common misconceptions about copyright law, for example:

- The publisher automatically owns the copyright (This is not necessarily so.)
- The language community owns the copyright for traditional material (In Western law, this is not so, though it could be given to a legal persona.)
- Owning the copyright to the collection means owning the copyright to the parts (Not so, since editing is an act in its own right, creating a unique work.)
- The speaker owns the rights to a recorded text (Translations are derivative works which are separately owned, but the publication of it still requires the speaker’s permission.) (Whalen/SALSA 2001).

In a collaborative effort, deciding who owns rights can get complicated. In some projects, one native speaker may collect and do a rough transcription and translation of the data, another regularizes it, another person does a translation into another language, and a fourth and fifth may add morphological annotation. Under such circumstances it is best to note each person involved in the process.

In some countries, copyright law distinguishes being paid for doing *part* of a work from being paid to do an *entire* work. In the United States paid employment for part of a work is known as “works made for hire.” In this case, the employer and not the employee is considered to be the author (U.S. Copyright office 2004). If this route is taken and the project is subject to U.S. law, then sub-contractors who do part of the work should be made aware in writing of these restrictions right at the beginning of the project. Note that the concept of “works made for hire” may be different or even non-existent in the copyright law of other countries.

#### Recommendations

- Make liberal assumptions about what copyrights may exist;
- Make copyright arrangements from the beginning of the project:
  - Be explicit about what is “work for hire;”

—In other cases, explicitly assign copyrights in writing, where possible to a single entity.

Copyright law is not a very good conceptual fit to the purposes of language documentation, but we must use it as we can. Some have recommended non-exclusive licences for appropriate research and educational use for use in different language documentation situations (Whalen/SALSA 2001). Fortunately, excellent resources are available on copyright, e.g. the National Library of Australia (n.d.); the US Copyright office (2004); and Nimmer (1998).

#### **2.4. “Moral rights” — noneconomic rights**

Independent of an originator’s copyright (economic rights) there are noneconomic, so-called *moral rights* to a given work. The Berne Convention, which was established to protect artistic works, states in part: “*Even after the transfer of the said rights, the author shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to the said work, which would be prejudicial to his honour or reputation.*” (WIPO International Bureau 1886–1979: Article 6(1), emphasis added). This convention ensures at least theoretically that a data originator (e.g. storyteller, speaker, singer) will always have some legal rights to his or her work. Whether or not these rights can be exercised over the work in the absence of economic rights remains a largely untested question, at least for language data originators. Until the legal strength of “moral rights” is evaluated empirically, the interests of both communities and researchers are usually best protected by ensuring that the economic rights are secured by the most appropriate parties. Data originators and analysts or one of the two are often the most appropriate choice; another possibility would be a data archive.

#### **2.5. Access**

During fieldwork, it may seem far from the concern of researchers to intensively ponder the uses of a data set in future years and decades, but the time to ask speaker/singers’ permission for access is precisely at the moment of recording, when researchers are still in the field.

Concerns about the privacy or, conversely, the recognition of data contributors apply not only to these speakers and singers, but also to all other people mentioned in the recording. (Thus, if a person talks about her sister’s wedding and uses her sister’s name, then the sister should be involved in decisions of access.) Furthermore, access concerns apply also to all researchers and helpers on site, including e.g. local researchers and facilitators.

Disputed questions of access very often create ethical issues. One such example is when villagers allow full access including crediting recordings to their name, but local coordinators, possessing an overview of social issues, suggest anonymity for political reasons. Generally, it is best to err on the side of caution and make the names anonymous.

An archive mediates between its collections and the public. The concept most central to this mediation is *graded access*, which allows different degrees of accessibility of materials and to users. The best currently available reference point is AILLA’s (n.d.) graded access system. Types of graded access generally include:

- Fully open;
- Partially open: Speaker-based/Materials-based/User-based;
  - Speaker-based: e.g. texts from Speakers 1–20 are open, those from Speakers 21–25 not;
  - Materials-based: e.g. taboo or secret material is closed; general material is open;

- User-based: e.g. only open to researchers, not commercial firms
- Fully closed.

Most researchers are creating digital repositories, even if these are often ad hoc. These data must be accessible to the native community. Whether the data are deposited in an established archive or on an office shelf, it often falls to the researcher to make relevant material available in a format that the native community can use, which is often not internet-based (see 3.5 below).

## **2.6. Legal requirements for research**

In addition to the legal requirements of the researcher-consultant relationship (informed consent) and of the collected and annotated data (e.g. copyright and access), project planning must include obtaining legal permission for personal logistics, the most important of which are:

- Appropriate Visas (e.g. tourist/student/research/visiting scholar)
- Residence permits
- Health exams (for longer-term foreign residents many countries require testing for chronic illnesses such as HIV or tuberculosis)
- Research permits (national and/or local)— permission may in some countries or locales require employing certain people not of the researcher's choice, e.g. bureaucrats, known local authorities, and/or "minders."

## **2.7. In sum: Ethics and rights**

For planning fieldwork and especially for archiving and disseminating data, being informed of the national and international treaties is very useful, even if national or international treaties on data ownership may not seem to affect a research project.

The ethical requirements of fieldwork-based investigation are complex, as they demand that the researcher attend both to a respectful and reciprocal relationship with the language community and produce a documentation meeting the standards of the academic community and the funding agency. The latter requires ensuring quality (observational adequacy) as well as quantity (working with reasonable efficiency and having adequate coverage) (Krauss 2005); the former entails a duty to consult, to share benefits as well as the management and control of data (Castellano 2005).

## **3. Practicalities I: to find a community and develop a cooperative relationship**

Two factors are crucial for successful outcomes in linguistic fieldwork: a good relationship between researchers and indigenous partners, and a well-organized work plan based on knowledge sharing and mutually negotiated goals. The more researchers understand both the local culture and their indigenous partners' goals, and the more indigenous consultants understand the researcher's goals, the more nuanced the research results. (Mosel Chapter \_\_\_ in this volume).

When a researcher lacks a previous working or personal relationship with a specific community of speakers, he or she must identify one, establish contact, and build a cooperative working relationship to that community. Even for a researcher with prior connections, protocols and participant roles must be negotiated cooperatively for each new project. Both kinds of researchers undergo a process of establishing "the five C's": Criteria, contacts, (avoiding) cold calls, community, and compensation.

Much of this section is designed to be employed as a checklist in advance of field research.

### 3.1. Criteria

Four criteria generally dictate a researcher's initial decision about research location and variety: With which communities and language variety do I work?

#### — Linguistic diversity and/or conservativeness

If you have the freedom to choose the language variety you will work on, your *linguistic* criteria for deciding may be typological (language *x* is unusual or typologically interesting in some way), and/or that the variety preserves an earlier stage of the language very well.

#### — Political expediency

Certain places may be open or closed to your research team for reasons of regional or national security. Local authorities may prefer that you go to only certain places, for reasons of personal safety or “turf.”<sup>9</sup>

#### — Logistical expediency

It may be only practical to combine work in a limited number of regions, if one is working in remote or inaccessible places. This logistical limitation may require the linguist to redefine the theoretical or scientific goals of the project.

#### — Interpersonal expediency

Certain language varieties may already be dominated by a national researcher of great stature, who would resent the competition you represent (see Political expediency above). Conversely, certain villages have no such reservations, but they either lack a sufficient number of consultants who are able to produce the phenomenon under investigation, or the local research talent on your team knows more people somewhere else.

### 3.2. Contacts

#### —Native Speaker-Consultants

Of all your contacts, consultants are the most important, and are best found via introductions from intermediaries. Creating the conditions for introductions requires patience, as establishing a consultant-researcher relationship is usually only possible after a period of trust-building with intermediaries.<sup>10</sup>

Native speakers are all potential teachers to the outsider-researcher and crucial to any research project. Rather than zeroing in on a single consultant for the entire research, most projects benefit from a pool of consultants, so as to avoid inadvertently producing a study of for example one person's peculiar idiolect, or a study of male language.<sup>11</sup> Working with a number of consultants allows the

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<sup>9</sup> Neither we scholars nor local officials are on every occasion completely immune to possessively viewing an academic topic or a place as our own “turf,” or personal territory.

<sup>10</sup> As one student was about to depart for doctoral fieldwork, her friend commented, “Oh, you’re going for two years? That should be just about enough time to make some contacts.” The student laughed at the time, but the friend was right: it took over a year to have the contacts to really do productive field work, and seven years passed before the student and an indigenous colleague were able to record a particularly rare form of love song — trust simply requires time.

<sup>11</sup> A significant number of grammars written on highly sex-segregated societies have been produced only by interviewing men, simply because the researcher was male. Since female speakers may be tendentially more conservative of older

researcher to draw on each consultant's strengths, and also to correlate sociolinguistic parameters such as sex, age, place of origin and languages spoken with linguistic parameters.

#### —**Academics**

Scholars based in the country or region in question are often a crucial aid to jump-starting our research. We often rely on their prior work, even if only in a related field, e.g. local history. Discussions with these scholars can give you the lay of the land, and may yield valuable contacts.

As these relationships, are also based on equitable exchange, it is important that the outsider-investigator offers something genuinely useful to such scholars, e.g. copies of publications, offers of academic collaboration, and/or volunteering to send hard-to-find books from overseas. It may or may not be appropriate to include some academics in your project.

#### —**Officials**

Although most bureaucrats in any country seem to have been put on this earth to hamper research, some can be surprisingly helpful. Brace yourself for the worst while maintaining a pleasant and undemanding demeanour. On the occasion when they are helpful, one is pleasantly surprised. Officials are of course often crucial in obtaining research permission; and they may provide valuable (or dreadful) introductions. In some cases it may be better to keep them abreast of project developments only in the vaguest way — for often these contacts are very political, and could hamper the project or even endanger consultants, depending on local conditions.

#### —**Local people (non-native speakers)**

Other local people outside of the target language group often provide an etic-emic perspective (outsider-insider) on the group you are actually investigating. They can constitute an important control group for a sociolinguistic or language-contact investigation.<sup>12</sup>

#### —**A long-term view of contacts**

It is not an exaggeration to suggest that if you are an outsider-researcher, that you plan to continue returning to communities for several decades if you really want successful and mutually satisfying research results. Even though in many cases these iterative visits are impractical, maintaining contact is desirable.

From the view of western academia, repeated field research in the same community is unfortunately not yet encouraged; in fact, many academics are under pressure to do precisely the opposite, undertaking many different projects for typological comparison or for demonstrating "scholarly breadth." Yet depth — the thorough understanding of a particular language family or area and an ability to speak and think in its languages — is often sacrificed for breadth.

Recent developments, lead by endangered-language linguists and anthropologists, indicate a trend toward depth *and* breadth. The key is to work cooperatively with speaker communities and with other scholars. In this way, one can undertake diverse projects *and* continue to work with previous communities.

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features and since female language can differ in e.g. discourse significantly from that of men, these "androgrammars" can be considered inadequate, indeed, half-grammars. Even if the original objective is a gender-based study, some comparative data from the opposite sex is presumably required.

<sup>12</sup> When I first investigated Salar, a southwestern Turkic language spoken in northern Tibet, I did a full syntactic survey of the local Chinese dialect in order to identify contact effects in Salar syntax.



### 3.3.(Avoiding) “cold calls”<sup>13</sup>

If a researcher has no connections to the community, region, or even country, her work is very difficult — people will understandably mistrust her, she’ll spend a lot of time explaining what she’s doing and attempting to build trust among some members of a community. Basically, successful initial fieldwork planning is about *avoiding* this situation, by being introduced by an individual or individuals and building trust — however tenuously — with a community.

That facilitating person should be as local as possible; a villager is usually more trusted than one from the nearest town, and a town resident is usually better than a person from the regional capital, and a person from the regional capital is usually better than one from the national capital — the more local the person is, the more reliable she is perceived.

Of course, the issue of *prestige* sometimes skews this hierarchy, so that sometimes an outsider with the right credentials has a surprising amount of access into a society. (For example, in a society in which the local authorities are detested, someone from the distant capital or even from overseas may be seen as more trustworthy.) However, an outsider having connections is no substitute for local knowledge. Only a villager can identify where the men who know the origin story live, which of them have the teeth to articulate dentals, where the medicinal herbs grow, and who is not speaking to whom.

### 3.4. Community: Cooperative work between consultants & researchers

#### 3.4.1. Lone-ranger linguistics vs. Research teams

— Lone-ranger linguistics

What I term *lone-ranger linguistics* (with a nod to America’s colonial past) represent the old go-at-it alone model of linguistic research: go in, get the data, get out, publish. It had its advantages: no negotiation was necessary, and it seemed that the one researcher was alone capable of wonders. Its disadvantages, however, are chiefly that it is inefficient and tends to promote ill-will. It is inefficient use of time, money, and other resources for an outsider to travel long distances for short periods and learn a language poorly; it promotes ill-will by giving the researcher no incentive to treat contacts in an egalitarian manner, to maintain relationships, nor to reciprocate the community’s generosity.

— Community-researcher teams

Cooperative arrangements between community members and outside researchers have a number of convincing advantages: they are enormously efficient in terms of human and economic resources, matching local skills to local tasks and transferring technology; they provide linguistic and ethnographic field methodology training in loco; they tend to produce huge quantities of data; and the “observer’s paradox” (at least that of an *outside* observer) is not so strong, since it is generally community members themselves who are conducting the fieldwork. There are some disadvantages to cooperative arrangements of this sort: they are logistically challenging, as greater numbers of people are involved, hence more intercultural mediation; a longer training period is required; and the data produced usually require more regularisation before analysis.

#### 3.4.2. Developing a mutual learner-teacher relationship

The linguist should ideally first acquire the mindset: “I am here to learn; can you teach me?” In return,

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<sup>13</sup> *Cold calls* is a term from telemarketing or advertising, when a person with a service to offer calls another business or a customer without any prior contact.

he should make clear what skills, equipment, and/or resources he has to offer, for example, technology, an orthography, or help with grant applications. Many excellent works have been devoted to developing and maintaining the relationship between researcher-learner and community member-consultant-teacher; see e.g. McCarty, Watahomigie, and Yamamoto (1999), Hinton et al. (2002), Grinewald (2003: 57–60), and Mosel (this volume).

### 3.4.3. Organization of a community research team

Developing a smooth and mutually agreeable workflow entails the cooperative organization of some kind of community research team, the organization of the researcher's own tasks, and regular mutual consultation and exchange. This collaboration often entails the following steps:

—Assemble trusted local colleagues

If a researcher lacks local contacts, she should probably first “introduce herself” to the community, either directly via a pilot research project or indirectly by working in a nearby town (e.g. as an English teacher or development volunteer).

—Propose a research plan

—Get their feedback and suggestions on the research plan

Ideally, before even applying for funding, the researcher should plan the project and budget with input from local colleagues.

—Narrow the scope consultatively

In each research locale, a researcher should work together with his local team person and village elders, if appropriate, to focus the research plan, including:

—For an overall documentation, make an emic list of all the discourse genres that local people feel are important to document;

—For a project on a specific topic, make a list of all potential interviewees;

—For a sociolinguistic survey, plan with and train the researchers, and obtain necessary permissions, as well as notifying the villagers via a trusted leader that the research will be carried out.

—Archive materials locally *and* remotely (e.g. at the researcher's university and in the local partners' town)

—Work with small, stable, offline software

—Work with computer programs with which your local partners are comfortable<sup>14</sup>

—Keep checking in with team members

Regular consultations by the researcher or local manager are crucial both for logistical and technical support as well as to keep the momentum going.

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<sup>14</sup> Many people, including the vast majority of academics, have favoured software; some software such as Microsoft Word gets a lot of bad knocks from computational specialists. Project partners may well be willing to learn a new program, and if they are not, programs that do not structure data well (such as MS-Word) can be forced to do so, simply by using the Table function.

—Make sure the local researchers see interim and final products

If it is feasible, show them not just the texts and translations they have worked on, but a complete session consisting of a recording with time-linked annotation should be demonstrated. If such demonstration equipment is lacking, sharing data printouts, photos, sketches or even fieldnotes is important in maintaining a relationship of reciprocity.

### 3.5. Compensation

Common practices include:

—For consultant time and expertise: money or gifts?

A local contact person in the pilot stages is invaluable for advice about what kind of compensation is appropriate. If it is monetary compensation, should it be time- (per hour) or piece-based (per text)? The same compensation for the same work is recommended for every participant. If compensation is given in the form of gifts, popular items include foods, candy, tea, or cloth. Note that some presents such as tobacco or liquor will only benefit one part of a family, and may, in some situations, delight one family member while angering another.

—Common-courtesy compensation: media

Audio and visual media of all types are among the nicest ways to “give something back” to a consultant or a community. Some common examples include:

- Audio and video recordings<sup>15</sup> copied onto more accessible formats (cassette, CD, VCD);
- Written material printed in a format useful to the community, e.g. texts in a practical orthography (without excessive linguistic or computational markup);
- Photos, sketches, and maps reproduced in pamphlet, album, or book form.

—For communities

At present, most researchers present native speaker consultants with small tokens of cooperative work, such as photographs and copies of recordings. In the future, documentary activity may well be coupled with or followed by providing primers, texts, and dictionaries to the community. Given that both academic funding and linguists' time is extremely limited, these products may best be created by research partners (e.g. pedagogy specialists) funded by nonacademic sources (e.g. economic development funding). Though such product development at present remains beyond the scope and funding of a scientific project, if the linguist is still able to catalyse this work, the community will benefit greatly.

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<sup>15</sup> Some countries have disincentives embedded in their copyright laws. If a U.S.-based researcher is planning to make a documentary film, for example, any clip which has been "distributed" (including as common-courtesy compensation) can, according to the law, *never* be included in a publicly- or commercially-distributed documentary film. A researcher will therefore not be able to obtain funding for or submit a film to a public television station or a film festival with that clip in it. Nonetheless, most documenters are not intent on making documentary films and have no legal barriers to sharing the data.

#### **4. Practicalities II: Common problems and some solutions: Money, gifts, and other obligations**

What constitutes respectful and commensurate compensation will vary widely from region to region, but some form of compensation is obligatory. If community members have played a major role in creating the compensation structure, and if that structure is transparent, then the chances of difficulty will be minimized. Even so, the material and/or interpersonal advantages conferred by project work can still create tensions between researchers and community members, or between community members themselves.

##### **4.1.1. Between outsider-researchers and consultants/community members**

Scenario #1: One common ethical dilemma resulting from ignoring participants' community roles is dealing with the outrage of an uncompensated community leader upon discovering that a young, non-prominent member received remuneration for project work. Similar cases of envy may arise in a community when people hear what a consultant got paid or given, while the clearly unqualified son of the village head wants that much too. If the researcher does not pay the son, the village head may well withdraw permission for the researcher to do the sociolinguistic survey. (Solution: Be pragmatic. If a researcher must, the son can be paid or given something, but hopefully prevented from harming the project.)

Scenario #2: One of your local team members is certain that she is not getting her "share" of the budget, and furthermore is convinced that the outsider-researcher is making thousands of Euros every day on this project. (Possible solution: If there is enough trust between you, share the project budget with the team member and explain allocations. If this is not possible, review and reach an agreement with her over adequate compensation.)

Often no amount of discussion can ever totally subdue the suspicion that the P.I is horribly wealthy (which in comparison with local people at least is often true), and also making a fortune off the project. In situations of mutual trust, an open budget may be appropriate. In other situations, a fully open budget might exacerbate perceptions of inequity. Core indigenous research partners should in any case be central to budget and compensation planning, and should have a clear idea of the scope of the project. The outsider-researcher can go a long way to dispelling perceptions of inequity (real or imagined) by modelling parsimonious conduct, i.e. by living inexpensively as much as possible. Care with expenditures (but not stinginess) can also help. Also, he should avoid answering questions about how much recording equipment costs, as it really is shockingly expensive. Instead, he can just say, "Oh, pretty much" or "Yeah, it's a good tape recorder."

##### **4.1.2. Between researchers and their funding agencies**

Researchers who wish to produce lasting and useful products for communities are in a bit of a bind. On the one hand, they are universally grateful for the academic research funding they receive. On the other hand, scientific funding agencies are not in the business of technology or pedagogical materials transfer to the community; their primary goal is to support the analytical by-products of research on an international standard, such as books, articles, analytical databases, and of course annotated data with associated metadata. The production and transfer of materials to a community, from the point of view of a funding agency, is not quite science and a Pandora's box of endless expenses.

In the longer term, as ethical documenters we must do a better job of convincing both academic and development funding agencies that linguistic fieldwork—unlike much of natural science research, to which these funding agencies are oriented—entails a *long-term* commitment (however superficial) to the communities, and thus the production of at least minimal materials *for the communities* is essential to doing fieldwork. Scientific funding agencies will justifiably argue that they are not in the business of economic development, but with endangered languages these issues simply cannot be separated; economic impoverishment so often goes hand in hand with language endangerment. Diversifying funding sources from non-governmental development organizations may well be a workable future solution.

#### **4.1.3. Between the outsider-researchers and communities**

The compensation discussed above—photos, tapes and gifts or contract payments in the short term, a dictionary and/or grammar in the longer term—is fully adequate. However, such compensation may still seem lacking, given the time lag in producing reference works and their possible irrelevance for the parts of the community not involved in language maintenance or revitalization. Some PIs, therefore, may be motivated to apply for economic development funding. Such funding exponentially increases the long-term contributions of a research collaboration to a community, for under ideal circumstances scientific research has thus contributed to both cultural and economic development.

#### **4.2. Organization**

Though an entire chapter could be written on project organization, we will restrict ourselves to two brief remarks on management. The first is *time management*. Building a cooperative work team is much more time-consuming (but also more rewarding) than working alone. Allow three times as much time as you estimate for a project of any size. Secondly, a linguistic research project entails both *data* and *personnel management*. While under older colonialist models, outsider-researchers would typically be responsible for both, the experience of diverse cooperative research projects has shown that the more local partners manage both data and personnel, the more likely it is that these community members consider themselves genuine shareholders in the project. And if local partners consider it their own project, then it has a much greater chance of being self-sustaining and self-perpetuating after the external funding runs out. Thus, if appropriate to the local situation, make sure that local team members with a talent for organization are actually *managing* the project; make sure that they have mirror archives of any annotated data archived elsewhere.

### **5. Conclusions**

There is... an inherent contradiction..., namely that we have predefined the issues ... in a non-aboriginal context. The concepts of intellectual property and heritage resources arise out of a way of viewing the world that either excludes or is antithetical to that of many First Nations and therefore precludes a real understanding of aboriginal culture and society. (Marsden 2004, by permission)

Clearly, a grasp of the legal requirements for both the researcher-consultant relationship (informed consent) and for the data produced and analysed (e.g. copyright and access) is important for any project. Such requirements are complex since they involve a web of participants subject to laws

often of more than one country. But it is the attentiveness to ethical issues which can determine a project's success. If the researcher is an outsider, the real challenge lies in learning and mediating between at least two ethical systems: that of the researcher, and that of the community. Only with an understanding of both systems — and this applies equally to outsider-academics<sup>16</sup> and insider-community members — can ethical and honourable behaviour be determined and evaluated.

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<sup>16</sup> Indigenous people may also find themselves in the role of outsider-academics.

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