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# *"Static" and "Dynamic" Approaches to the Ethical Relationship between Researchers and the Community: Seeking a New Synthesis*

QUENTIN EICHBAUM

The current international research guidelines have narrowly focused on the rights of the individual. Scant attention has been paid to the "community" as an ethical entity.[1] For instance, the *Belmont Report* of 1979 focused mainly on the rights of the individual as a research subject. Although the report does also discuss groups of individuals participating in research, no mention is made of communities as having identities worthy of ethical consideration separate from that of its individuals.[2] With regard to another set of research ethics guidelines, Robert Levine has bemoaned this narrow focus on the individual and the lack of regard for the community as a valid ethical entity:

> In each of its publications, it [the National Commission] seems to embrace an atomistic view of the person. The person is seen as a highly individualistic bearer of duties and rights; among his or her rights, some of the most important are to be left alone, not to be harmed, and to be treated with fairness. Except, perhaps, in its report on research involving children, there is little or no reference to persons in relationship to others or as members of communities.[3]

Researchers working in communities therefore often have little guiding principle to assist them in understanding and resolving some of the peculiar ethical dilemmas they may encounter. This dearth of guiding ethical principle applies in particular to researchers working in developing countries and in resource-poor settings. Here the problem may be exacerbated by economic and cultural disparities and misunderstandings between researchers and the com-

I thank Professor Solomon Benatar (Center for Bioethics, University of Cape Town), Dr. Walter Robinson (Department of Social Medicine, Division of Ethics, Harvard Medical School, Boston), Dr. Carolyn Hayes (Brigham and Women's Hospital, Harvard Medical School, Boston), and Professor Patricia Illingworth (Department of Philosophy, Northeastern University, Boston) for reading the manuscript and for their valuable critical comments.



*Cambridge Quarterly of Healthcare Ethics* (2008), **17**, 98–113. Printed in the USA.

DOI: 10.1017/S0963180108080109

munity. As a consequence, Western researchers—raised in cultures that emphasize the rights of the individual—have periodically found themselves at odds with the values and preconceptions of the community in these settings.

Only more recently has attention turned toward communities. This shift has in part been facilitated by the expansion of international research into types of communities where the concerns of the community as a whole may take precedence over those of its individuals. As a now well-described example, informed consent for clinical trials conducted in some such communities may have to be obtained from the community as a whole rather than from any of its individuals who may wish to participate in the trial.[4] In such cases, the community appears to function as a distinct ethical entity (and indeed the question may be turned around to ask whether the individual possesses an ethical identity separate from that of the community).[5]

Communities are more than just groups of individuals, but may instead have distinct but separate identities. Much of the confusion about community identity hinges, as we shall see, on adequately defining what constitutes a "community." Whether communities have rights and obligations separate from those of the individual compels a more precise definition of what constitutes a community. Although we interact with communities on a day-to-day basis and often define ourselves in terms of the communities to which we belong, formulation of an adequate definition that encompasses the many different possible types of communities has remained elusive. Without an adequate definition of "community," formulating adequate protections for communities and ethical guidelines for researchers working in such communities remains a challenge.

Ethicists Charles Weijer and David Crocker view communities as distinct ethical entities, but they have different perspectives on how this affects the relationship between researchers and the community and on how vulnerable communities might best be protected from exploitation. Weijer and colleagues have eschewed any single encompassing definition of "community" but instead have formulated a list of various community "types" with each community being associated with particular "characteristics" that qualify it for a specific set of "protections".[6] Their typological model is prescriptive and, as the authors acknowledge, fails to take account of dynamic change within a community. In this sense their model may be described as being static.

David Crocker has proposed a dynamic approach to the ethical relationship between researchers and the community—a relationship that is in constant flux and demands ongoing scrutiny and fine-tuning. In Crocker's view, ethicists (or researchers) working in a community are, to varying degrees, "insiders" or "outsiders" vis-à-vis the community, and they may, at times, feel impelled to reattune the closeness of this dynamic relationship with the community. This article presents a critical evaluation of the alternate approaches of Charles Weijer and David Crocker to the ethical relationship between researchers and the community.

## Charles Weijer: Communities Can Be Categorized into Specific Types, Each Deserving Appropriate Protections

### *Communitarianism*

Charles Weijer has published extensively on the philosophical and pragmatic aspects of protecting communities in research. His approach to protecting

communities has some of its philosophical foundations in communitarianism. Communitarian philosophers have argued that communities are more than just collections of individuals but instead serve as the wellspring for the individual's sense of worth and self-determination.[7] Although many of the interests and values of the individual may be different and separate from those of the community, others are shared. Individuals are never separate from the group but derive their sense of "individuality" from the community. Reciprocally, community values may be supported and sustained by its individuals. In this setting of interdependence between the individual and the community, the principle of "respect for persons" must perforce also imply a "respect for communities."

Weijer cites Miller's argument in support of communitarianism:

> First, the socialization process determines, or shapes, the values and preferences of individuals; hence, the idea of autonomously chosen values is factually incorrect. Second, an individual's actions, desires, and objectives are comprehensible only within the context of social conventions and institutions. . . . Third, the view that an autonomous individual chooses his or her own values, preferences, and desires presupposes a self that does the choosing. This self will have to have a core of values with which to choose, in which case either there are values not autonomously chosen, or it is inexplicable how individuals come to have a set of values.[8]

Communitarianism challenges the notion of individual autonomy that is derived in isolation from the values, preferences, and identity of social institutions and conventions. Instead, social structures—such as "communities"—may assume an identity that precedes, and is distinct from, the identity of the individual. Indeed, the identity of the community not only precedes that of the individual but plays a definitive role in molding the individual's identity. So the individual's identity cannot be considered in isolation from that of the community. If communities are social entities with values, beliefs, and political powers distinct from those of the individuals comprising them, they may also require protections different from those needed to protect the individual.

But what precisely defines a community? Weijer comments that one of the difficulties with defining "community" is that community boundaries are persistently fuzzy.[9] Instead of attempting an encompassing definition of "community," he proposes a model comprised of several different "types" of communities. Each type of community is associated with different "characteristics" that qualify it for a different set of protections.

Further work will require a more nuanced approach and recognize that communities represent a wide variety of human associations including ethnic, cultural, religious, political, artistic, qualified, sexual, and disease communities. To define and delineate the substantive, practical protections for the principle of respect for communities, we need to construct a typology of communities matching protection to specific community characteristics.[10]

Weijer and Emanuel formulate such a typology in an ensuing article, *Protecting Communities in Biomedical Research*, published in *Science* in 2000, which we turn now to discuss.

*Description of the Weijer-Emanuel Model: Types of Communities, Their Characteristics and Proposed Protections*

Weijer and Emanuel apply "morally relevant criteria" to distinguish seven different types of community arrayed along a "spectrum of cohesiveness" from the most cohesive community, possessing all the *characteristics* (aboriginal), to the least cohesive possessing only a few *characteristics* (a virtual community; see Table 1). They derive these characteristics by asking questions such as what sorts of communities there are, what properties each has, what their communally defined needs and priorities are, whether they have legitimate political authority, how communication with the entire community is achieved, and so on. The seven major types of community they present are *aboriginal*, *geographical/political*, *religious*, *disease*, *ethnic/racial*, *occupational*, and *virtual*.

Each of these communities requires different kinds of *protections*. Aboriginal communities are often isolated and more "primitive" and are generally considered more vulnerable to outside intervention and exploitation. But because aboriginal communities are the most cohesive of the seven types of community, protections for this community type are easiest to formulate. Nonetheless, attempts to generalize protections from one community type to another have not worked. As an example of this poor generalizability of protections, Weijer and Emanuel cite the failed attempt to extend a set of Canadian research guidelines (The Tri-Council Policy statement) originally developed for aboriginal communities, to other types of communities (such as communities of Ashkenazi Jews). The protections devised for the aboriginal communities were largely inapplicable to other types of community.

To avoid this mistake, Weijer and Emanuel propose separate sets of protections for different types of communities based on each community's peculiar *characteristics*. The authors list 10 characteristics shared to varying degrees by their seven suggested types of communities. Communities can possess each characteristic to varying degrees as scored on a four-point scale: ++, +, +/−, − (Table 1). Each characteristic is *catalogued* as deserving one or more kinds of *protection* (Table 2). The seven types of community are endowed with a number of characteristics, each of which "entitles" that community to certain protections. Because the seven community types are conceptually distinct, no specific set of protections is generalizable to other community types (Table 2).

To illustrate, a characteristic of a "geographical/political community" is that it possesses a "legitimate political authority." This community is therefore "entitled" to the following protections (Table 2): *consent*, *consent required for protocol changes*, *may withdraw consent*, *consent for further use of samples*, *consent to identify*, *and consent for researcher media interview*.

Ostensibly, Weijer and Emanuel's model has practical value to the field researcher insofar as it lists the protections required for each community type and, moreover, presents them in a convenient tabular format. To take three examples from Table 1: (1) To qualify for the listed protection "input on protocol," the community must be characterized as having a "representative group or individuals" to provide such input; (2) to qualify for the protection of "consent" and/or "consent required for protocol changes," the community must possess the characteristic of having a "legitimate political authority"; and (3) to be protected by "reimbursement for research costs" or to be offered

https://doi.org/10.1017/S0963180108080109 Published online by Cambridge University Press





**Table 1.** Characteristics of Types of Communities

| Community characteristic | Type of community[a] | | | | | | |
|---|---|---|---|---|---|---|---|
| | Aboriginal | Geographic political | Religious | Disease | Ethnic racial | Occupational | Virtual |
| Common culture and traditions, canon of knowledge, and shared history | ++ | + | ++ | +/− | + | ++ | + |
| Comprehensiveness of culture | ++ | +/− | ++ | − | + | +/− | − |
| Health-related common culture | ++ | + | ++ | ++ | + | +/− | − |
| Legitimate political authority | ++ | ++ | +/− | − | − | +/− | − |
| Representative group/individuals | ++ | ++ | ++ | + | + | +/− | +/− |
| Mechanism for priority setting in healthcare | + | + | +/− | + | +/− | +/− | − |
| Geographic localization | + | ++ | +/− | +/− | +/− | − | − |
| Common economy/shared resources | ++ | ++ | +/− | +/− | +/− | − | − |
| Communication network | ++ | + | + | +/− | +/− | + | ++ |
| Self-identification as community | ++ | ++ | ++ | +/− | + | +/− | + |

[a]Characteristics of types of communities in biomedical research. Examples are aboriginal, Kahnawake; geographic/political, Jackson, Michigan, and Iceland; religious, Amish; disease, HIV; ethnic/racial, Ashkenazim; occupational, nurses; and virtual, e-mail discussion group. ++: The community nearly always or always possesses the characteristic. +: The community often possesses the characteristic. +/−: The community occasionally or rarely possesses the characteristic. −: The community very rarely or never possesses the characteristic.

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**Table 2.** Community Characteristics Required for Particular Protections

| | Community characteristics[a] | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Proposed protections[b] | H | LPA | Rep. | PS | GL | CE/SR | CN | SI |
| Consultation in protocol development | | | | | | | | |
| Respect for culture | ✓ | | | | | | | |
| Input on protocol | | | ✓ | | | | | |
| Research useful | | | | ✓ | | | | |
| Respect for knowledge and experience | ✓ | | | | | | | |
| Process of providing information and obtaining informed consent | | | | | | | | |
| Nontechnical and appropriate disclosure | | | ✓ | | | | ✓ | |
| Face-to-face meetings | | | ✓ | | ✓ | | | |
| Adequate time for review | | | ✓ | | | | | |
| *Consent* | | ✓ | | | | | | |
| *Consent required for protocol changes* | | ✓ | | ✓ | | | | |
| *May withdraw consent* | | ✓ | | | | | | |
| Involvement in research conduct | | | | | | | | |
| *Transfer of skills and expertise* | | | | | | ✓ | | |
| *Employment* | | | | | | ✓ | | |
| *Reimbursement for research costs* | | | | | | ✓ | | |
| Informed about research progress | | | ✓ | | | | ✓ | |
| Access to data and samples | | | | | | | | |
| *Consent for further use of samples* | ✓ | ✓ | | | | | | |
| Storage of data negotiated | | | ✓ | | | | | |
| Dissemination and publication | | | | | | | | |
| Involvement in manuscript preparation | | | ✓ | | | | | |
| Draft report for comment | | | | | | | ✓ | |
| *Acknowledgment* | | | | | | | | ✓ |
| *Consent to identify* | | ✓ | | | | | | |
| *Final report* | | | ✓ | | | | ✓ | |
| *Consent for researcher media interview* | | ✓ | | | | | | |

[a]H: health-related common culture; LPA: legitimate political authority; Rep.: representative group or individuals; PS: mechanism for priority setting in healthcare; GL: geographic localization; CE/SR: common economy or shared resources; CN: communication network; SI: self-identification as a community.

[b]Appropriate protections for communities depend on their characteristics. Italics indicate community protections that require consent; nonitalics, protections that require only community consultation.

Table reprinted with permission from Weijer C, Emanuel EJ. Protecting communities in biomedical research. *Science* 2000;28:1142–4.

"employment," the community must be characterized by having a "common economy or shared resources."

A significant shortcoming of the model is that the characteristics assigned to each of the communities are not always self-evident. Moreover, because these designated characteristics form the basis for determining to which protections each community is entitled, the associations between these community characteristics and the suggested protections are often also not clear. For instance, in the following passage, one might question why the Ashkenazim lack a legitimate political authority. Should the relationship between researchers and such communities not instead focus on implementing such a legitimate political authority?

> Community consent is only possible if the community has a legitimate political authority, which could be a legislative assembly, mayor, or tribal council that has the authority to make binding decisions on behalf of its members. For instance, the Ashkenazim have no legitimate political authority, and hence, suggesting that community consent be sought from them is neither morally nor pragmatically justifiable.[11]

In a similar vein, because a disease community lacks a legitimate political authority it is denied protections of consent, consent required for protocol changes, and consent for further samples and the right to withdraw consent. Here one might ask in what senses do disease communities lack legitimate political authority. For instance, in the United States there exist various societies that focus on a specific disease (e.g., the Multiple Sclerosis Society) that may be said to provide such legitimate political authority to their disease community. Why should such disease communities be denied essential protections?

Close scrutiny of the Weijer–Emanuel model reveals several such difficult-to-apprehend associations between community characteristics and protections. It is often not clear why certain community types deserve a particular protection whereas others do not. This makes the model cumbersome to apply in a consistent and practicable manner. It seems that basing protections on predesignated community characteristics may simply be more convenient as an ethical challenge than having to independently ascertain the inherent vulnerability and required protections for each individual community. Two further brief criticisms of the model are the following: (1) The authors give no explanation as to how they arrived at their "morally relevant criteria" applied in devising their typology. (2) The notion of "entitlement" rather than "vulnerability" as the basis for community protections raises a number of additional vexing questions (discussed in the section below).

To be sure, Weijer and Emanuel are careful not to claim that their typology is exhaustive. Instead they assert that it represents the community types most relevant to medical research. Moreover, they stress that "human associations are not static but dynamic"[12] and that "the bonds with a group may change with time necessitating reconsideration of the level of protections."[13] They insist that their typology has practical value insofar as it distinguishes the basic types of community that medical researchers are likely to be involved with and provides a template for determining the most appropriate required protections. The extent to which their typology model has however been effectively applied towards devising protections for various types of communities remains unclear.

### *"Entitlement" versus "Vulnerability" as the Basis for Protections*

Weijer and Emanuel insist that protections for communities in research ought not to be based on their inherent "vulnerability." Instead, they argue that communities are "entitled" to protections: "the driving issue for protections for communities is not vulnerability, but rather, that communities have interests that are *entitled* to respect and protection."[14]

They draw a distinction between protections "typically afforded vulnerable groups" and the kinds of protections required to protect "communities in

research." Research ethics, they contend, has "largely been shaped in reaction to instances of unethical and exploitative research on prisoners and children, the elderly, the poor, and racial or ethnic minorities"[15]—that is, in response to research conducted on vulnerable individuals and groups. This view has needlessly distorted the relationship between researchers and the community into one of a "protective guardianship." But whether this guardianship has at all been effective in alleviating exploitation of vulnerable groups in research is contestable, they argue.

In its place, they propose a relationship of consensus "partnership." Partnerships are equitable relationships in which the parties are codominant. In this setting, each party is *entitled* to protections instead of only being accorded protections on the basis of its vulnerability and weaker position in the relationship.

Two problems can be foreseen in this notion of partnerships. First, although such partnerships appear ethically commendable, they may not be easy to establish. Particularly in settings where wide cultural and economic disparities exist between the researchers and the community, equitable partnerships may be difficult to establish. Social conventions, cultural differences, and issues of trust between researchers and communities in developing countries may prove major impediments that also diminish the practicability of such an approach. In any case, few such viable codominant partnerships with communities in developing countries have as yet been reported. Given the imbalance in power between the parties, many such partnerships have actually been "protective" whereas others have been exploitative, rather than partnerships of "consensus." The majority of communities in developing countries remain vulnerable to various shades of exploitation while lacking the skills and know-how to establish a partnership of true consensus with researchers. Indeed, many such communities may be inherently too intellectually impoverished and vulnerable even to be socially cognizant of the possibility of being entitled to protections.

Second, the partnerships envisaged by Weijer and Emanuel are themselves not immune to exploitation. Indeed, the partnership structure may serve as a façade to conceal an imbalance in power between researchers and the community and to mask underhand exploitation. Value systems, communication styles, and general expectations of the participating parties may be so different as to insidiously distort a delicately balanced partnership. For instance, notions of informed consent remain fraught with cultural and interpretive constraints and are often a source of misunderstanding even within the ostensibly secure boundaries of a consensus partnership. Although partnerships ideally facilitate communication between researchers and the community and are envisaged as a way of empowering communities, these advantages are not sufficient to guard against exploitation of vulnerable communities. (Indeed, one might contend that a truly codominant partnership ought to have little need of specific protections for the participating parties if they are indeed codominant and so evenly matched in power.)

Despite these shortcomings, the model of Weijer and Emanuel presents a substantial contribution to the ethics of international research. It provides a novel approach to understanding and defining the intricate relationship between researchers and the community. By defining several different types of community, it eschews a restrictive single definition of "community." At a minimum, it provides a checklist of protections for field researchers working in

communities to consider. More contentiously, it attempts to systematize which protections each community type is entitled to. But this attempt at systematization is at once where the model's value and its weakness lie. Communities cannot be regarded as components of a static system but are instead dynamic entities. David Crocker's perspective on communities, discussed next, takes account of this dynamic aspect of communities.

## David Crocker: "Insiders" and "Outsiders" to Dynamic Communities

David Crocker's essay *Insiders and Outsiders in International Development* presents a view of international development ethics in which communities are dynamic, constantly changing entities. The ethical relationship between researchers and the community demands ongoing reassessment and monitoring as the community continues to change. According to Crocker, "Development ethics should be done in a contextually sensitive way, in relation to the actual facts, interpreted meanings, and shared values."[16]

Such contextual sensitivity requires that the researcher be pragmatically attuned to this dynamic contextual change within the community. In this regard, Crocker cites the pragmatist Richard Rorty, who refers to this contextual sensitivity as "accepting the contingency of starting points [rather than] attempting to evade this contingency." According to Rorty:

> To accept the contingency of starting points is to accept our inheritance from, and our conversation with, our fellow humans as our only sources of guidance. To attempt to evade this contingency is to hope to become a properly-programmed machine. This was the hope which Plato thought might be fulfilled at the top of the divided line, when we passed beyond hypothesis.[17]

> Our identification with our community—our society, our political tradition, our intellectual heritage—is heightened when we see this community as *ours* rather than *nature's*, *shaped* rather than *found*, one among many which men have made. In the end the pragmatists tell us, what matters is our loyalty to other human beings clinging together against the dark, not our hope of getting things right.[18]

Crocker proposes that individual researchers are, to varying degrees, "insiders" or "outsiders" to the community they work in. The researcher's identification with the community, he suggests, may be arrayed along a continuum of "insiderness/outsiderness" according to the changing degree to which the researcher might feel him or herself to be an insider or outsider to that community.

### *Insider and Outsider Ethicist/Researchers*

Crocker further suggests that an individual may at times be both an insider and an outsider with respect to the same group. Moreover, the individual can be an insider with regard to certain values of a community and an outsider with regard to other values. Indeed, Crocker suggests that being a "pure insider" or a "pure outsider" is difficult if not impossible, as one would have to consider

oneself "in total agreement, disagreement or indifference in relation to a group."[19] He explains:

> An insider is one who is counted, recognized, or accepted, by himself/herself and the other group members, as belonging to the group. One is so identified on the basis of such things as shared beliefs, desires, memories and hopes. Accordingly, one is an outsider with respect to a group just in case he or she is not counted, recognized or accepted by himself/herself and/or the group members—as not belonging to the group, due to lack of these shared beliefs, desires, memories, hopes and so forth. The insider outsider distinction also applies to a situation as well as to a group. Some people, for example, feel "at home" in Mexican villages but alien to the streets of Mexico City. . . . It is important to underscore that the insider/outsider distinction does not coincide with the distinction of native/foreigner or citizen/foreigner. . . . We are all insiders and outsiders in a multitude of ways. . . . Even with respect to the same group we can be both insiders and outsiders. . . . It follows that the insider/outsider distinction is better understood as a continuum or spectrum rather than a rigid dichotomy whose categories are mutually exclusive.[20]

To illustrate the "exotic collage of insiderness/outsiderness" that may characterize communities and the individuals comprising them, Crocker cites Salman Rushdie's account of the community of Indian immigrants living in London:

> The thing you have to understand about a neighbourhood like this . . . is that when people board an Air India jet and come halfway across the planet, they don't just bring their suitcases. They bring everything. And even as they reinvent themselves in the new city—which is what they do—there remain these old selves, old traditions erased in part but not fully. So what you get are these fragmented, multifaceted, multicultural selves.[21]

Crocker's notion of insiders and outsiders to a community provides a pragmatic tool and framework within which researchers (or ethicists) can gauge and appropriately adjust their working relationship with the community. As change occurs in the community, the researchers will also have to consider making adjustments to their relationship with the community.

### *Advantages to Being an Insider*

Part of the dynamic work required of researchers in developing and improving their relationship with a community may lie in gaining ground as insiders. Crocker foresees three advantages to being an insider with respect to a community.

First, an insider–ethicist would share in the community's practices, memories, and vocabulary (among other things) and would thus have a better sense of what such things mean to the community. An outsider may miss the meaning of events, traditions, and values and be poorly positioned to evaluate them. The insider–ethicist also has the capacity to make himself/herself under-

stood by the community as "a conversation partner in the group's dialogue about its identity."[22]

A second advantage of insider status is that the insider–ethicist's own "moral judgments about the community's past, present and future"[23] will be *accessible* to the community. Irrespective of whether these judgments are in tension or conflict with those of the community or the community takes cognizance of them, the insider–ethicist can nonetheless more readily appeal to "an understood and presumed set of moral assumptions even when that set involves ambiguity and inconsistency."[24] In essence, these two advantages suggest that the insider position leads to fewer "ethical translation" problems between the researcher/ethicist and the community.

Third, insider status may give the insider moral standing and "a prima facie right to criticize" the community's developmental trajectory and to suggest better alternatives. Crocker insists that: "By virtue of being part of the group's cooperative activity, the insider has a generally acknowledged right and responsibility to contribute to the weaving and reweaving of the group's identity."[25]

The "right to evaluate," according to Crocker, should be accorded on the basis of the insider–ethicist's familiarity with the community's history, values, and aspirations. Such familiarity with a community's values and aspirations, and the associated "right" to criticize it, inevitably entails some effort in getting to understand the multifarious facets of the community's life and composition.

Insider status and familiarity with the dynamics of the community places the researcher in a more intimate position from which to make predictions about the community's needs and the kinds of protections it may require. In place of protections prescribed according to a community's "type" (as in Weijer's community model), protections may be specifically tailored to the individual community's needs and to the context of the research being conducted within the community.

### *Disadvantages to Being an Insider*

Crocker also notes some disadvantages to the insider position. First, he recognizes that the insider and the community "may be too close to get things into the focus requisite for ethical assessment."[26] Ensconced in such "intimacy" with the community, the insider–ethicist may fail to be more critically heedful of certain omnipresent traditions, values, and meanings associated with the community. For instance, an insider may not see oppression that lurks within particular "traditions" such as arguably exemplified by communities in Africa that uphold the tradition of female circumcision. Such intimacy of the insider with the community and its traditions may impede development of a more critical perspective in dealing with the community and may even lead the insider to act opportunistically.

Second, he proposes that insider–ethicists will nonetheless always be relatively limited to the "vocabularies and valuational resources of their group."[27] Becoming more of an insider to the community may entail "foregoing alternative perspectives and becoming more of an outsider to one's former allegiances."[28] The cost of forgoing of such alternative perspectives is that it may deprive the community of new ideas and imaginative challenges which the ethicist could present. The more of an insider the researcher becomes toward

the community, the more potentially impoverished his or her contribution as an outsider may become to the community.

Third, to be an insider entails living "in the midst of loyalties, debts, favors, obligations, promises." These "debts may be compromising or corrupting," and impartiality may become an improbable ideal for the insider–ethicist. In contrast, "the outsider may be able to say what the group needs to hear."[29]

### *An Optimal Blend of Insider/Outsiderness?*

Crocker insinuates that researchers should strive for a judicious blend of "insider–outsiderness" in their relationship with the community. The researcher should be enough of an *insider* as to readily adapt to the changing dynamics of the community but also enough of an *outsider* so as to maintain objectivity toward the community and also to contribute new ideas toward its well-being. Periods of time away from the community or, alternately, periods of prolonged immersion within the community may assist in achieving this balance. There is no magic formula for achieving this optimal blend, and the researcher's individual judgment will remain the driving force in seeking such a middle road.

However, if the researcher–community relationship is so pragmatically focused on immediate contexts, what is the role of the international research guidelines and other codes of research ethics? At a minimum such codes clearly serve a purpose as a standard against which to gauge independent ethical positions. Nonetheless, Crocker's intent focus on the immediate context of the researcher–community relationship exposes him to the criticisms of ethical relativism. He anticipates and tries to duck these criticisms by introducing the notion of a "global community and global ethic." Coming full circle, as we shall see, he suggests that the solution to the dilemma between the relativist and universalist ethical positions may lie in attaining some form of optimal blend of "insider–outsiderness."

### *A "Global Community and Ethic": A Counterweight to Relativism?*

To counter the charge of "cultural relativism," Crocker invokes a higher order of a minimal "global ethic":

> Without abandoning our own cultural substance, we need to help further a global community and a global ethic. We need to extend our national, ethnic, class, and gender identities to a global "we". Insofar as such a world community does not exist, we need to build it. Insofar as it does, we need to strengthen it.[30]

Such a global community rests on a set of commonly accepted ethical principles. In contrast to Weijer's sets of protections tailored to the characteristics of different community types, Crocker espouses an ethic based on sufficient consensus that would enforce a "moral minimum" and provide basic principles of ethical guidance to community workers:

> The global ethic would not be a total ethic for a *Gemeinschaft* but a "moral minimum", a basic moral charter to which most people of

> good will could agree, for a global *Gesellschaft*. It would be what Rawls calls an "overlapping consensus", a public and publicly-forged moral vision to which persons and groups with a variety of moral, metaphysical, and religious views could have allegiance. It would provide protection for the vulnerable wherever they exist as well as enjoin respect for each group's prima facie right to hammer out its own ethics. It would give all people a common vocabulary for coping with global problems that refuse to respect national or other boundaries, as well as for resolving problems among and within nations and regions.[31]

The various international research guidelines have striven to provide such a "common vocabulary" to guide international researchers. How well these guidelines have succeeded is debatable. In any case, until more recently ethics committees in developing countries have rarely been invited to participate in establishing these international guidelines. Crocker draws attention to the dangers in deciding who devises the consensus ethics:

> Like most good things, such a global community and global ethic could go bad: for rich and powerful centers could (self-deceptively) extend their domination precisely by packaging their own self-serving ethic as the new global ethic.[32]

So how is consensus reached for determining the minimum "global ethic"? The "community," Crocker suggests, is the most valuable ethical entity from which to seek consensus for a global ethic. In Crocker's model, the global ethic in turn serves as a counterbalance to relativist ethical outlooks and traditions:

> The international moral minimum can both be inspired and nurtured from good and exportable ideas invented by particular groups. In turn the global ethic can be a basis for criticizing and improving the outlooks and practices of particular traditions.[33]

In the final analysis, however, Crocker offers little specific advice on how such a global minimum ethic might be formulated. The examples he adduces to illustrate changes that have contributed toward the development of a global ethic—"abolition of slavery," "gender equality," "respect for basic needs and rights and the environment"—have been achieved historically through slow and incremental changes in social thought rather than through any deliberate formulations of a "global ethic," codes of ethics, or ethical guidelines. Crocker is undaunted by the historicity of the global ethic he espouses. In any case, he expresses little faith in algorithmic approaches to ethical problems. Instead, his tentative conclusion lies in "increasing the number of insider–outsiders."

> Unfortunately, or perhaps fortunately, we have no algorithm to adjudicate these conflicts. One of our hopes rests in the increasing number of insider-outsiders (in relation to groups of various scopes) engaged in ongoing moral dialogue about local, national, regional, and global development. Whether this is the best approach to the development of a global ethic is unclear.[34]

The challenge for the researcher in Crocker's model lies in how to achieve the status of "optimal insider–outsiderness" without losing the umbilical con-

nection with a consensus/universalist ethic. At one level, Crocker would have us believe that the researcher's intent focus on dynamically monitoring the insider–outsider relationship with the community ultimately may still offer the best safeguard for protecting communities. Yet he offers no tangible solution as to how to simply "increase the number of insider–outsiders" in meeting this challenge. Indeed, at this point in his argument he seems doubtful as to whether his notion of community insiders and outsiders can ultimately extricate him from the relativist ethical dilemma.

## Summary/Conclusion

Increasing attention is being given to communities as valid ethical entities. This is especially important in view of the increasing volume of research being conducted in communities around the world. For instance, with the accelerated rate and increasing need for novel drug and vaccine development comes the necessity for clinical trials testing in socially and biologically pertinent communities. Adequate protections are required for such communities. But determining the nature of the ethical relationship between researchers and communities and defining the appropriate protections has remained a challenge.

The approaches to this challenge of ethicists Charles Weijer and David Crocker are substantively different. Insofar as Weijer's model presents a typology with prescriptive protections, it may be described as static. Insofar as Crocker's model takes account of the context of ongoing change in communities, it may be described as dynamic. If Weijer's typology fails to take account of dynamic change in communities, it nonetheless attempts a systematic approach to devising appropriate protections based on each community type's characteristics. At a minimum it provides a potentially useful list of community types and protections for the researcher to consider in the field. Crocker's dynamic continuum of insider–outsider researchers/ethicists has been impugned with ethical relativism—a charge from which he struggles to extricate himself by invoking a particular notion of a global ethic. Although he offers little in the way of specific guiding ethical principle, his approach is fundamentally nonprescriptive and pragmatic. He places the onus for sensitively assessing the changing ethical contexts of the relationship with the community on the individual judgment of the researcher/ethicist.

In the final analysis, the most judicious approach to the ethical relationship between researchers and the community may combine elements of static and dynamic models such as those propounded by Weijer and Crocker. The various international research guidelines may be augmented by typologies such as Weijer's that more specifically draw attention to different types of communities and their particular requirements for protection. These static ethical approaches provide a solid foundation from which the researcher/ethicist may more confidently and pragmatically assess and adjust to the dynamic contexts of the relationship with the community. The objective should be to provide a basic platform with sufficient guiding principle to assist researchers in a variety of ethical settings while at once also providing a conceptual framework to accommodate the dynamic nature and particular needs of different communities.

## Notes

1. I use the term "ethical entity" loosely to refer to the objects that potentially fall within the scope of ethical consideration, for example, persons, future generations, fetus, stem cells, environment.
2. Although it may be argued that the Belmont report has focused on the individual because it is primarily individuals rather than communities that have been harmed in medical research, this perspective may largely represent a Western philosophical preoccupation that has focused ethical attention primarily on the individual rather than on the community. Communities as a whole may suffer harms that are distinct from the harms suffered by the individuals of which they are comprised. For instance, following the devastation of hurricane Katrina, many affected inhabitants of New Orleans were distraught not only from the harm done to themselves, family members, and property but they also lamented the dissolution of the "communities" they had grown up and lived in. A community may encompass a history, system of beliefs, values, and traditions that cannot be fully accounted for by the aggregate of its individuals. This is an important topic that deserves more attention than I can give it here.
3. Levine RJ. *Ethics and Regulation of Clinical Research*, 2nd ed. New Haven, Conn.: Yale University Press; 1988:13.
4. In such communities, individuals usually retain the right to refuse consent to a study even after the community as a whole has given its consent (or "assent" as some ethicists may prefer when referring to "consent" given by a community). In such settings, individuals may nonetheless not grant consent without the consent/assent of the community. This is, however, a complex topic beyond the scope of this essay.
5. The notion of communities having an "ethical identity" is complex and arguable. The point here is, more simply, that the ethics of individuals in some communities may be in closer synchrony with a shared ethics of their community.
6. Weijer C. Protecting communities in research: Philosophical and pragmatic challenges. *Cambridge Quarterly of Healthcare Ethics* 1999;8:501–13; Weijer C, Goldsand G, Emanuel EJ. Protecting communities in research: CURRENT guidelines and limits of extrapolation. *Nature Genetics* 1999;23(3):275–80; Weijer C, Emanuel EJ. Protecting communities in biomedical research. *Science* 2000;28:1142–4.
7. Miller B. Autonomy. In: Reich WT, ed. *Encyclopedia of Bioethics*. New York: Simon and Schuster, Macmillan; 1995:215–20; Illingworth P. *Ethical Health Care*. Upper Saddle River, N.J.: 2006:12–4.
8. See note 7, Miller 1995.
9. See note 6, Weijer 1999.
10. See note 6, Weijer et al. 1999.
11. See note 6, Weijer, Emanuel 2000:1143.
12. See note 6, Weijer, Emanuel 2000:1144.
13. See note 6, Weijer, Emanuel 2000:1144.
14. See note 6, Weijer, Emanuel 2000:1144.
15. See note 6, Weijer, Emanuel 2000:1144.
16. Crocker DA. Insiders and Outsiders in International Development. *Ethics and International Affairs* 1991;5:149–73.
17. Rorty R. *Consequences of Pragmatism*. Minneapolis: University of Minnesota Press; 1982:166.
18. Rorty R. Unger, Castoriadis, and the Romance of a National Future. *Northwestern University Law Review* 1988;82(2):335–451.
19. See note 16, Crocker 1991:158.
20. See note 16, Crocker 1991:155–56.
21. Marzorati G. Salman Rushdie: Fiction's embattled infidel. *New York Times Magazine* 1989 Jan 19:44:27.
22. See note 16, Crocker 1991:161.
23. See note 16, Crocker 1991:161.
24. See note 16, Crocker 1991:161.
25. See note 16, Crocker 1991:161.
26. See note 16, Crocker 1991:162.
27. See note 16, Crocker 1991:162.
28. See note 16, Crocker 1991:162.
29. See note 16, Crocker 1991:162.
30. See note 16, Crocker 1991:171.

31. See note 16, Crocker 1991:171.
32. See note 16, Crocker 1991:172.
33. See note 16, Crocker 1991:172.
34. See note 16, Crocker 1991:173.