(i) Consent and advance consent
It has long been recognised that the notion of advance informed consent poses particular problems for social anthropologists (see Bell 2014 for an overview of the key literature and debates). Two primary issues have been identified:
- The open-ended and long-term nature of ethnographic fieldwork and the impossibility of pre-empting the course that it might take.
- The tendency of ethics committees to conflate consent with written consent – which frequently poses problems for anthropologists on both ethical and methodological grounds.

The first issue relates primarily to anthropologists' relationships with their interlocutors and the second issue relates primarily to anthropologists' relationships with their ethics committees.

Advance consent and ethnographic fieldwork
Lederman (2006: 485) has highlighted the 'systematic openness to contingency' and 'disciplined relinquishment of control' that characterises ethnographic research, wherein ethnographers are neither in a position to demarcate their research spaces nor their social identities. The nature of ethnographic fieldwork thus poses problems in obtaining 'informed' consent as conceptualised in prevailing research ethics frameworks.

Anthropologists recognise that consent is an ongoing process that must be negotiated throughout our fieldwork, rather than a one-off transaction at the outset of a research project. However, ethical issues can arise as a result of the gap between how anthropologists and their interlocutors understand the nature of the fieldwork and the written portrayals that result (see also 'Relations with, and responsibilities towards, research participants'). While literature on the politics of representation needs little introduction here, anthropologists interested in exploring issues of consent in relation to questions of representation may find the following case studies useful:
1) Nancy Scheper Hughes on the community's response to her fieldwork on mental illness in Ireland;
2) Charles Bosk on conducting ethnographic fieldwork in hospital settings;
3) Joyce O'Connell Davidson on conducting fieldwork with Desiree, a British sex worker;
4) Nancy Plankey-Videla on 'studying up' in a Mexican garment factory.

The ethnographers in question come to difficult conclusions regarding how these dilemmas around consent can be addressed, but all suggest the need for ongoing ethical reflection throughout the fieldwork itself, as well as during the process of writing.

As noted in the guidelines, one area where concerns about consent frequently arise pertains to events where the anthropologist is unknown to participants. Although ethical sensitivity is clearly required in such contexts, anthropologists are frequently told by ethics committees that it

is impossible to write about such events without the consent of all those involved, effectively precluding the study of important phenomena where obtaining such consent is unfeasible. Ethical guidelines that anthropologists may find useful in considering how to attend to these issues – both in their own fieldwork and in their interactions with their ethics committee – are the Canadian national research ethics guidelines (the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*).

These guidelines specifically address the topic of consent in the context of qualitative observational studies (see Article 2.3 and Article 10.3) and provide an ethical framework for considering when and where it is appropriate and/or unnecessary. According to the guidelines, 'the nature of the activities to be observed, the environment in which the activities are to be observed, whether the activities are staged for the purpose of the research, the expectations of privacy that prospective participants might have, the means of recording the observations, whether the research records or published reports involve identification of the participants' should determine whether individual consent is sought. However, in making such considerations, anthropologists should clearly be guided by *emic* rather than *etic* definitions of privacy, public space, etc.

Written vs. oral consent
The requirement for written consent is an area where anthropologists have long struggled with their ethics committees. As Wynn and Israel (2018: 804) observe in their discussion of the fetishization of written consent and the problems it poses for anthropologists, 'What is truly remarkable about the written, signed consent form is the fact that it persists as the standard in many ethics bureaucracies despite the ample evidence that signed consent neither documents nor materializes ethical research relationships'.

Although there are certain research settings where written consent may be required for reasons of law or access, many anthropologists have successfully challenged ethics committees' requirements for written consent on both ethical and methodological grounds. Those seeking justification for oral consent might find it useful to refer to de Koning et al. (2019), who have recently argued the following:

> Anthropologists regard written informed consent as potentially deceptive. Because relations with interlocutors change in the course of research, for instance under the influence of changing political circumstances, this transfer of knowledge is never fully concluded. We consider it legitimate and often advisable to work with oral forms of consent, since written consent forms may impact negatively on interlocutors' privacy, safety, and possession of knowledge.

Another document that might be helpful in engaging with ethics committees around this topic is the Canadian research ethics guidelines. A benefit of this document is that it is intended primarily for ethics committees, and it acknowledges that written consent is not the only

ethically acceptable means of obtaining consent in a variety of research settings. According to Article 3.12:

> Written consent in a signed statement from the participant is a common means of demonstrating consent, and in some instances, is mandatory. However, there are other means of providing consent that are equally ethically acceptable. In some types of research, and for some groups or individuals, written signed consent may be perceived as an attempt to legalize or formalize the consent process and therefore may be interpreted by the participant as a lack of trust on the part of the researcher. In these cases, oral consent, a verbal agreement or a handshake may be required, rather than signing a consent form. In some cultures, the exchange of gifts symbolizes the establishment of a relationship comparable to consent.

(ii) Working with non-human participants
It is unlikely that social anthropologists would become directly involved (as a directly active participant) in intrusive experimentation with animals/testing involving animals. However, should they do so then they will need to comply with animal relevant national legal requirements relating to such experimentation. In the UK this would be the *Home Office Guidance: Guidance on the Operation of Animals (Scientific Procedures) Act 1986* https://www.gov.uk/guidance/research-and-testing-using-animals and a useful set of guidelines for best welfare practice can be found at http://www.ox.ac.uk/news-and-events/animal-research/university-policy-on-the-use-of-animals-in-scientific-research.

Although a contentious and complex issue, it is difficult to set out guidelines for non-human participant consent in research. Social anthropologists might work with people involved in animal breeding; livestock and husbandry practices; animal sports, entertainments, and exhibitions; companion animal practices; fishing and hunting; the use of animals in ceremonial and ritual events; the transformations of live animals to food products; animals in laboratory and other research settings. Researchers might well have personal ethical views and moral concerns about different human-animal engagements and on those grounds not be involved in participant observation or similar research practices. However, as *per* the ASA main guidelines, researchers should be mindful of their ethical duties and responsibilities towards the human participants in such events and practices.

(iii) GDPR and data governance
In Europe (including the UK), processing of personal data has been codified in the General Data Protection Regulation (GDPR). The legislation aims to give individuals greater control over their personal data and how it is used. These requirements can pose distinct challenges for anthropologists. As Pels et al. (2018: 391) observe, 'Such forms of governance tend to define "data" as already commodified units of analysis, alienated from the social relations of research by contractual forms of informed consent and anonymization, and by ownership claims by researchers and employers'. These issues are exacerbated by unnuanced interpretations of GDPR

by university administrators, with anthropologists frequently informed that they must anonymise data (i.e., irrevocably strip it of all personal identifiers) or destroy it after a set period to remain compliant with the legislation. We emphasise that neither is obligated by GDPR which has explicit provisions for academic 'scientific' research.

Corsín Jiménez has outlined a Data Governance Framework for Ethnography that does an excellent job of collating the provisions of the GDPR that make anthropological research entirely legal within its data management frameworks. Another useful resource is EASA's Statement on Data Governance in Ethnographic Projects. Both documents providing wording and advice that anthropologists may find useful in pushing back against inappropriate institutional demands around data governance – especially those relating to anonymisation and the ethical repercussions such 'un-naming' potentially entails (see Yuill 2018 for further discussion).

Open data and archiving fieldnotes
Another area where data governance norms and requirements are shifting relates to calls for open data – mandated by an increasing array of funders and journals. Despite the unquestioned value currently placed on 'openness' within the open science movement, data sharing nevertheless raises a number of conceptual, practical and ethical questions (see Levin 2015 for further discussion). Murillo (2018) provides an overview of the key discussions and debates pertaining to open data in anthropology and Corsín Jiménez also addresses the key ethical and practical considerations in his Data Governance Framework for Ethnography. As he notes, there is specific provision in the GDPR for research data including information about identifiable individuals to be held in the long term, and eventually to be archived.

Those interested in illustrations of how the ethical issues surrounding the archiving of anthropological and related data have been addressed may find the following be useful:
1) The Council for the Preservation of Anthropological Records (CoPAR) – an organization founded in the 1990s to foster awareness of the importance of preserving anthropological records and to provide technical support to enable this. Overviews of CoPAR initiatives can be found in Parezo et al. (2003) and Marsh et al. (2019).
2) UK Data Archive – this is a digital repository for social science data which includes some anthropological material. Especially in its Qualidata section, it has developed ways of working with the sorts of unstructured material that anthropologists tend to produce. Access is not open in the sense of being uncontrolled: users have to register and in some cases *they* have to give consent, so they enter into the same sort of relationships of trust with the informants that the original researcher did. Moreover, material placed into the archive can in some circumstances be embargoed. The UK Data Archive has also worked with the UK Census to develop protocols (and technical solutions) for 'Secure Access Points' which enable remote access to highly sensitive datasets in constrained and controlled fashion.

(iv) Other ethical and fieldwork guidance

Depending on their field and background, some anthropologists may also need to be aware of ethical guidelines produced by other professional or academic organisations, or anthropological organisations in other countries. We have included links to some below, but please do suggest other resources that may be useful:

AAA Statement on Ethics: American Association of Social Anthropology

https://www.americananthro.org/LearnAndTeach/Content.aspx?ItemNumber=22869

AAS Code of Ethics: Australian Anthropological Society

https://www.aas.asn.au/content.aspx?page_id=22&club_id=143481&module_id=395252

Navigating the Field: Australian Anthropological Society

https://fieldwork.weblogs.anu.edu.au/

ESRC Statement Framework for Research Ethics 2010: (updated 2012), Economic and Social Research Council, UK

https://esrc.ukri.org/files/funding/guidance-for-applicants/esrc-framework-for-research-ethics-2010/

AHRC Code of Practice: Arts and Humanities Research Council, UK

https://ahrc.ukri.org/about/policies/codeofpractice/

BSA Statement of Ethical Practice: British Sociological Association

(includes a useful annexe on the ethics of digital research with case studies)

https://www.britsoc.co.uk/ethics

Safe, Responsible and Ethical Research: Royal Geographical Society

https://www.rgs.org/in-the-field/in-the-field-grants/advice-and-resources/safe-and-ethical-research/

Code of Ethics for Social Work: British Association for Social Work

https://www.basw.co.uk/about-basw/code-ethics

Code of Ethics in Social Work: Mastersinsocialworkonline

https://mastersinsocialworkonline.org/resources/social-work-ethics/

Internet Research: Ethical Guidelines 3.0 (2019): Association of Internet Researchers

Association of Internet Researchers Ethical Guidance.pdf