Research in the human and social sciences and education: ethical questions raised by the Brazilian regulations*

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Abstract

The guidelines that regulate ethics in research involving human beings in Brazil, especially those that refer to the areas of the human and social sciences and to the sciences of education, are analysed in their relationships to bioethics and the sciences of life. The difficulties raised by researchers in the human areas in their dialogue with the interdisciplinary ethics committees are considered, including the possibility of disconnecting the authorization for research in these areas from the CEPs-CONEP system, the National System of Committees of Ethics in Research run by the National Health Board. Nevertheless, it is argued that the main focus of this system of ethics in research is the protection of the physical and mental health of the participants, which is considered a question within the area of bioethics and health, and broadly as a bio-psychosocial process. It is also observed that the data collection techniques developed by the human and social sciences (interviews, questionnaires, observations or participant observations) are also utilized by the sciences of life. These considerations indicate that the dialogue between the areas, proportioned by the interdisciplinary composition of the ethics committees, is salutary and necessary for the good functioning of the system, despite the possibility, contemplated in the legislation, of specific committees existing for judging research ethics in the human and social sciences. It is proposed that new research be carried out for monitoring the functioning of the committees of ethics in universities and research institutions to perfect the regulatory system.

Keywords

Ethics in research – Human and social sciences – Sciences of education – Dialogue – Bioethics.

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Introduction

The guidelines that regulate ethics in research involving human beings in Brazil are dealt with by Resolutions n° 466, of 12/12/2012, and Resolution n° 510, of 7/04/2016, of the National Health Board. The latter provides for the rules applicable to research in the human and social sciences whose methodological procedures involve the utilization of data directly obtained with the participants, or from identifiable information, or that may carry risks higher than those existing in daily life. (BRASIL, 2012, 2016).

Resolution 466/2012 is inspired by the Universal Declaration on Bioethics and Human Rights of 2005, which "addresses ethical issues related to medicine, life sciences and associated technologies as applied to human beings, taking into account their social, legal and environmental dimensions." (UNESCO, 2005, Art. 1). And by the dispositions of the Constitution of the Federative Republic of Brazil that deal with questions related to the dignity of the human being and on the promotion of a society founded on liberty and the promotion of wellbeing of all its citizens, without any type of prejudice or discrimination. (BRASIL, 1988) The application of standards relative to ethics in research is entrusted to a system of ethical committees in research based in universities and research institutes, coordinated by the National Committee of Ethics in Research (CONEP), constituting the CEPs-CONEP system.

The existence of the system of promotion of ethical principles to regulate scientific research with human beings has been greeted as pertinent and relevant, although there are questions about the necessity of the authorization for empirical procedures of data collection in certain research in the areas of human and social sciences. At a round table on ethics in research in human sciences held during the 69th annual meeting of the Brazilian Society for the Progress of Science, promoted in 2017 at the Universidade Federal de Minas Gerais, in Belo Horizonte, Professor Márcia Regina Barros da Silva, from the Universidade de São Paulo, presented a work in which she brought up the difficulties that have emerged in the activities of ethical committees in research based in Brazilian teaching and research institutions relative to the comprehension of the disciplinary limits between the human and the social sciences and the sciences of life, or even the submission of ethical questions to the principles of bioethics. In her opinion, these principles would apply primordially to the sciences of health (SILVA, 2017). Professor Simone Hüning, of the Universidade Federal de Alagoas, observed, at the same round table, the difficulties of the committees of ethics, composed in their majority of professionals from the biomedical sciences, faced with the diversity of the theoretical and epistemological practices and positions existing in the field of the human and social sciences (HÜNING, 2017).[2] Other researchers have questioned the system of regulation of research ethics in Brazil, because

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[2] The present text is a reviewed and expanded version of the work I presented at the round table "Ethics in Research in the Human Sciences: between regulations and practice", organized by the ESOCITE-BR (the Brazilian Association of Social Studies in the Sciences and Technologies), as part of the programming of the 69th annual meeting of the Brazilian Association for the Progress of Science (SBPC), held between 16 and 22 July 2017, at the *campus* of the Universidade Federal de Minas Gerais, in Belo Horizonte, Minas Gerais. Also participating in the round table were Professors Daniela Alves de Alves, from the Universidade Federal de Viçosa, Simone Maria Hüning, from the Universidade Federal de Alagoas, and Márcia Regina Barros da Silva, from the Universidade de São Paulo.

of its bureaucratic character and its connection to the area of health, being coordinated by the National Health Board. Mainardes (2017), questions the fact that the rules and procedures for the submission and judgment of the research projects are common to the areas of human and social sciences and the biomedical area. He considers that, although a specific resolution for the area of human and social sciences had been approved in 2016, the process was not completed, as a system of risk grading had been envisaged that had not been put into effect. He also considers that the system for the evaluation of ethics in research should be linked to the National Council of Science and Technology, and not to the Ministry of Health, as it is a question that concerns the area of scientific production. Similar questionings are made of the CEPs-CONEP system by De La Fare, Carvalho and Pereira (2017), because of the extension of the ethical review, initially contemplated for research of a clinical and experimental character from the area of health, to all areas of knowledge. These authors also consider that ethical questions would be better treated by the preparation of the researchers, building up in this way a more consistent culture in the treatment of ethical questions by the researchers themselves. Other questionings regarding the treatment of research ethics in Brazil coordinated by the National Health Board concern the suitability of the language of the human and social sciences to the terms utilized in the portal where project submissions are made (*Plataforma Brasil*); and the need to foresee decisions on procedures that, in the case of some research in the human and social sciences, can only be made during the course of the investigation, such as in the case of anthropological research (SARTI; PEREIRA; MEINERZ, 2017). The question of evaluating possible harm that the research may cause to the participants is also the object of controversy about whether or not they concern questions of health. Sarti, Pereira and Meinerz, on this point, state that:

> Consideration of the harm done in research in the human and social sciences brings to the fore of ethical evaluation a range of other categories such as ‘discomfort’, ‘embarrassment’, ‘inconvenient’, ‘conflict’, ‘feeling unwell’, ‘exposure’, ‘discrimination’, which do not necessarily fit into the area of concern for the health of the subjects. (SARTI; PEREIRA; MEINERZ, 2017, p. 15-16).[3]

On the other hand, initiatives in the sense of setting the procedures that guarantee respect for the dignity and integrity of the participants in scientific research are welcomed as they guarantee proper protection for these participants, without whose collaboration the research would be impossible (SEVERINO, 2014). Incidentally, it is for this reason that the research ethics system prevailing in Brazil determines that the subjects of the research be denominated participants, as they make the research obviously feasible, participating as they do actively in the investigation (BRASIL, 2012, 2016). Frequently, also, in research situations, the participants collaborate in the evaluation of the phenomena being studied, as they also produce, together with the researcher, reflections and insights about

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3- *Translation note*- This and all other quotes have been translated by the translator of the main article.

the situations being examined that assist in the discussion of the hypotheses and the formulation of the results of the investigation (JODELET, 2003; LASSITER, 2005).

We know that the concern with ethics in scientific research originates at significant moments of advance in the struggle for respect for human rights, like the enforcement of the Nuremberg Code of 1947, and of the Universal Declaration of Human Rights of 1948 (AZEVEDO, 2002). The actions of the National Health Board constitute an important step in the ethical perfection of research involving human beings in Brazil, contributing to overcome shortcomings in the treatment of participants in research and the use of data for purposes that are not always transparent.

In the area of human and social sciences, especially in social psychology, for example, some experimental designs utilized in the 1960s have been the subject of much debate and questioning regarding the observance of ethical principles. As examples we can cite the experiments carried out by Stanley Milgram between 1963 and 1974 on the obedience to authority, in which the participants (naïve) were asked by a scientist to apply electric shocks to people (who were supposedly lodged in the room next to the experiment room) without knowing the real objectives of the experiment. Another example is the experimental study of Philip Zimbardo done in 1972, where the subjects (university students) were distributed randomly in the roles of prisoners and guards in a fictitious prison, and showed strong emotional reactions after some days of interaction (MILGRAM, 1974; ZIMBARDO, 2007). These types of experimental dispositions, although considered acceptable in view of the benefits that the knowledge produced in this way could bring to the scientific comprehension of psychological and psychosocial processes that guide the behaviour of human beings, or even to improved social planning, provoked criticism because of the effects that they could unleash in the people involved. These criticisms supported the preparation of the regulations existing at present in several countries (MYERS, 1987; CRANO; LAC, 2012).

In Brazil, specific questions regarding ethics in research relative to human and social sciences started to be contemplated with the approval, in 2016, by the Brazilian National Health Board, of their own regulations, Resolution 510/2016, which complemented Resolution 466/12 providing for the appropriate procedures in the area. This resolution is considered to be an advance in the reflection on questions of regulation of ethical attitudes for human beings (MAINARDES, 2017; COSTA; LANDIM; BORSA, 2017). It is also considered that it “summons the researchers in the human and social sciences to a debate about their conceptions of research and the many-sided methodological implications required in this field” (LORDELLO; SILVA, 2017, p. 7).

Part of the community of researchers in human and social sciences defends also the setting up of independent committees charged with evaluating projects in these areas, which would be out of place when treated by means of the principles of bioethics. It is argued that bioethics concerns more the type of research that utilizes invasive procedures in the human body, such as the case of investigations in the medical or pharmacological area, which involve the advance of knowledge on the functioning of biological systems or the testing of new products in the treatment of diseases. In this sense, the procedures utilized by the human and social sciences could not be considered invasive, working mainly with data obtained by means of interviews, questionnaires or observations of human actions in different contexts. At present there are experiments in the organization of specific ethical committees for the evaluation of the ethical aspects of research in the human and social sciences ongoing at the Institute of Human Sciences of the Universidade de Brasília (CEP/IH/UnB) and the Centre of Philosophy and Human Sciences of the Universidade Federal do Rio de Janeiro (BARBOSA; CORRALES; SILBERMANN, 2014; DUARTE, 2015; SARTI; PEREIRA; MEINERZ, 2017).

In this article, and taking advantage of the experience and reflections made at the time of participation in the committee of ethics in research based in the Universidade Federal de Minas Gerais[4], I present some aspects of research in human and social sciences, especially in the area of the sciences of education, which, in my opinion, can be considered as associated to the concepts deriving from bioethics, as they deal with questions related to the protection of mental health (in the biopsychosocial sense) of the participants.

Research in psychology, social psychology or anthropology has demonstrated again and again that the holding of in-depth narrative interviews, for example, or the observation (participant or not) of human groups involved in different tasks in life (classrooms, meetings in institutions, leisure or community activities, etc.) can cause effects on the participants of research, such as embarrassment or feelings of apprehension or shame, with serious emotional implications, or those related to privacy, which can provoke discomfort or undesirable memories. Also the need, which frequently appears to the researchers in human sciences (as in the case of research on prosocial behaviour) of having to hide the true objective of the research from the participants, because otherwise this could interfere with the results obtained, raises ethical questions and issues related to mental health that demand proper procedures.

I shall also present the argument that the methodologies for data collection developed within the human and social sciences (including the sciences of education) are presently being utilized in different scientific domains - sciences of health, sciences of life - which makes it difficult to distinguish precisely what can be classified as human sciences and what will be outside this classification in areas such as epidemiology, nursing, physical education, occupational therapy, phono audiology, among others. It is observed, at present, that the great development, sophistication and diversification of the data collection techniques in the area of human and social sciences has been used with success in other areas of the natural sciences, although the manner of interpretation of the evidence obtained can vary in accordance with the theoretical orientation adopted by the researchers in the different areas.

For these reasons, and recognizing the pioneering initiative of the biomedical area in the regulation of procedures for guaranteeing ethics in research, I believe that it is perfectly legitimate that each area specifies the principles that it elects and the criteria it considers priority. In this sense the search would be justified, in the case of the scientific community in the general area of the human sciences, of constructing its own project

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[4] In the period 2015 to 2017 I participated in the committee of ethics in research based in the Universidade Federal de Minas Gerais as a representative of the area of education

of ethical norms and directives for the development of scientific research. But never forgetting that ethical reflection is universal, and the main end of the human and social sciences should be the humanization of life, and the preparation of people with autonomy that respect the dignity of the human being. This would be a specific contribution of the human and social sciences for the scientific areas in general. The presence of specialised researchers in different subareas of the set of the sciences dedicated to the investigation of human phenomena certainly tends to enrich the dialogue and the debate in the committees of ethics, raising questions and discussing aspects of their practice with colleagues from the biomedical area.

Ethics always supposes the presence of the other. According to Piaget (1994), morality only exists in the world because human beings live in permanent interaction with each other, and it is from the dialectic of these interactions (sometimes involving conflict) that the principles of living together, the ethical principles, are born. Interaction involves conflict, according to Severino (2014), because the path that has to be traversed conjointly with the other may become a threat to one's own identity, to the ego under construction, because of the differences that emerge between people. Conflicts and confrontation of the differences can continually threaten the building of one's identity. The area of education, especially, experiences these concerns acutely, because it deals mostly with interindividual and interactive processes. In this regard, the author observes that "it is for the human sciences to demonstrate that all bioethics needs to be, before anything else, an anthropoetics" (SEVERINO, 2014, p. 207).

Methodology

To carry out this work, the legal documents that were references for Resolutions 466/12 and 510/16, such as the Universal Declaration of Human Rights of 1948 (UNITED NATIONS, 2009) and the Universal Declaration on Bioethics and Human Rights of 2005 (UNESCO, 2005) were consulted. A survey of the literature published from 2005 that appears in SciELO on the processes of preparation, criticism and application of ethical principles and research carried out with human beings in Brazil and in some Lusophone and Hispanic countries that make up this bibliographical database was carried out.

The survey carried out at Scientific Electronic Library Online (SciELO) revealed the existence of 1,133 articles published in Lusophone and Hispanic literature from 2005 in which the keyword ethics in research was cited. Among these articles, 738 (65.13%) come from the area of the health sciences, comprising the areas of medicine, nursing, rehabilitation, public health, policy making and management of health services. There are also 385 articles from the area of the human and social sciences (education, ethics, social sciences, psychology, sociology), accounting for 33.98% of the works. The rest of the works are spread over areas such as biology, engineering, linguistics, letters and arts, chemistry.

The greater volume of publications occurs from 2012 on, which appears to coincide with the approval of Resolution 466/12, in Brazil, with the expansion of the system of committees of ethics in research (the CEPs-CONEP system), and with the discussion on the convenience of preparing specific legislation on the ethical aspects in research in the area of the human and social sciences. This discussion has generated important manifestations from professionals in the area, published in reference periodicals and specific dossiers on the theme, which will be cited throughout the article. It also promoted the constitution of working groups and of discussion forums examining the procedures to be adopted relative to the evaluation of ethical aspects in research in the human and social sciences – in national research associations such as the ANPEd (the National Association of Research and Post graduation in Education), from 2007; ANPEPP (the National Association of Research and Post graduation in Psychology), from 2004; among others. Some associations in the human and social sciences area have endorsed the proposal of the organization of a system of evaluation of research ethics linked to the National System of Science and Technology, and not to the Hhealth area, which is the case at present (MAINARDES, 2017).

For the survey on the techniques of data collection most utilized in research involving human beings directly in the human and social sciences area, especially in the area of the sciences of education, works on the research methodology used by reference authors in these areas, such as André (2001), Avanzini (1999), Bailey (1982), Crano and Lac (2012), Filstead (1970), Fraisse and Piaget (1968), Gatti (2004), Hacking (2001), Lassiter (2005), Nachmias and Nachmias (1981), Talak (2014) have been consulted. Also consulted have been recent issues of three reference periodicals in the area of the education sciences in Brazil, evaluated with the level A1 by the Capes Qualis system for the evaluation of periodicals, i.e.: *Educação em Revista* (Education under Review) (UFMG), *Educação e Pesquisa* (Education and Research) (USP), *Cadernos de Pesquisa* (Research Notebooks) (Fundação Carlos Chagas). In these periodicals, we sought to select, in the methodology sections of the research reported, the data collection techniques most utilized. There was no analysis of the frequency of the type of techniques cited. Only the mention of the technique for inclusion in the set examined was used. This procedure is justified in view of our interests being selecting research techniques requiring the analysis of the committees of ethics in research, because they involve the direct interaction of the researchers with the participants and the signature of Terms of Free and Informed Consent (TFICs) or Terms of Free and Informed Assent, in the case of underage participants (TFIAs), in conformity with the terms of the legislation in force in Brazil.

The Universal Declaration on Bioethics and Human Rights and its impact on research in the human and social sciences

The Universal Declaration on Bioethics and Human Rights was prepared by representatives of the different countries that are members of Unesco (the United Nations Organization for Education, Science and Culture), and approved by show of hands during the 33rd Session of the General Conference of the Organization held in Paris in October 2005 (UNESCO, 2005).

Garrafa ([2005]), the representative of Brazil in the process of the preparation of the Declaration referred to, reports that, in the discussions that preceded its approval, there was a clear difference between the position of the rich countries (which defended the restriction of bioethics to biomedical and biotechnological questions) and the poor countries, which, under Brazilian leadership, sought the expansion of the text to include the sanitary, social and environmental fields in this international declaration. The contribution of the Latin American, African and Asiatic delegations, in this same sense of considering health a biopsychosocial concept, was incorporated into the text, and considered a victory of the developing nations. In the words of the Brazilian representative:

> The content of the Declaration changes profoundly the agenda of bioethics in the 21st century, making it more democratic and more applicable and committed to the vulnerable populations, those who are most in need of it. Brazil and Latin America showed the world an academic participation, modern and at the same time militant in the themes of bioethics, with practical and concrete results, as is the case of the present declaration, which is one more instrument available for democracy in the sense of perfecting citizenship and universal human rights. (GARRAFA, [2005], p. 1).

In Brazil, Resolution 466/2012, from this expanded understanding of bioethics, establishes a set of principles to be observed in the practice of research with human beings which spring from a comprehension that “human dignity, human rights and fundamental freedoms are to be fully respected” and that “the interests and welfare of the individual should have priority over the sole interest of science or society”, as Art. 3 of the Universal Declaration determines (UNESCO, 2005, p. 6).

From this comprehension about how participants in scientific research should be treated spring the main principles to be observed in the ethical definition:

- The principle of *autonomy*, which concerns the capacity of the participants to decide for themselves whether they wish to participate as subjects in research or not, with due regard to the social contract. This means that this participation is a voluntary act, which must be respected, and that measures must be taken for this individual autonomy not to be overruled by arguments from authority. It also means that the participants who are not in a position to take conscious and informed decisions - children, the disabled- must be properly represented;
- The principles of *beneficence* and of *non- maleficence*, that establish that the research should generate benefits for humanity (if not it does not need to be done), and that the procedures chosen for data collection should avoid harm to the participants or to society in general. This means that the benefits that may arise from the research should be maximized and any possible damage minimized. The researcher should pay special attention to the risks that the research might cause the participants, and do a prior mapping of what should be done to minimize, or even to compensate them, if they are inevitable;
- The principles of *justice* and *equity*, which propose that procedures that may place the participant in situations of psychic, psychosocial or social inequality in relation to the researcher, the institutions or his or her peers should be avoided. These principles imply that situations that provoke discrimination or stigmatization of the participants or social groups should be avoided. They stress also the importance of cultural diversity and sociocultural, political or religious pluralism, which should receive due consideration, within the limits of human dignity, of the laws and of fundamental liberties. Possible physical, psychological or social differences should receive special care and attention.

Resolution n° 510/2016, specifically to regulate the questions of ethics in research in the area of the human and social sciences (HSS), was prepared by the working group in human and social sciences of CONEP (National Committee of Ethics in Research). The group was made up of scientists from the diverse areas of the human and social sciences, indicated by the respective associations.[5] The standard, the first of its kind in Brazil, was approved by the National Health Board and published on 24 May 2016, meeting demand from researchers from the various disciplines who did not consider themselves contemplated by the dispositions of Resolution 466/12, considered excessively focused on the domain of the Health Sciences (BRASIL, 2016).

Guerriero (2016), who participated actively in the preparation of the text of the new Resolution, highlights among its main contributions: 1) the determination relative to the equitable composition of CONEP and the participation of members of the human and social sciences in the review of the protocols of these areas, recommending the participation also equitable of the scientists in the regional committees of ethics that make up the CEPs-CONEP system; 2) the affirmation that scientific merit of the research project should not be the object of evaluation by the CEPs-CONEP system, because it should have already been evaluated by the instances charged with this topic (universities, institutions for the promotion of research) before submission to the committees of ethics. The legal text establishes that the main focus of the ethical judgement concerns protection of the participants in the research and the minimization of possible risks that the research may produce; 3) flexibilization of the manners of registration of the free and informed consent or assent of the participants, that starts to contemplate "the written form, sound, magnetic, or other ways that meet the characteristics of the research and the participants" (Chap. III, Art. 15 of Resolution 510/16); 4) exclusion of some types of research projects in human and social sciences, which do not present obvious risks to the participants, from the obligation of submitting them to the CEPs-CONEP system. This research includes public opinion surveys with non-identified participants, investigation that utilizes information from the public domain, censuses, databases aggregated without individual identification of the participants, systematic reviews of the literature, activities of educational training at the levels of university graduation, technical education or specialization (GUERRIERO, 2016).

One problem linked to the realization of research with human beings in the human and social sciences area that still has to be resolved concerns the risks that may occur for the participants or to society in general. Resolution 466/12, in chapter II, Art. 22, defines research risk as the "possibility of physical, psychical, moral, intellectual, social, cultural or spiritual damage to the human being, in any piece of research and arising out of it" (BRASIL, 2012). Some researchers argue that, in the case of the procedures utilized in research with human beings, possible risks that may be incurred by the participants may be, in some cases, considered equivalent to the risks incurred in the normal activities of daily life. The proposal that is under study at present is that of establishing a risk scale, from the lowest to the highest. The researcher him or herself could classify his/her

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5- Representatives of national associations in the areas of social services, psychology (developmental, school and educational, social psychology), history, history and social studies of science, anthropology sociology, law and education, participated in the working group.

research on this scale, and only the investigations considered of more accentuated risk would have to be submitted to the CEPs-CONEP system, the others being submitted to a self- regulatory regime by the researchers themselves.

The most relevant questions at present under discussion, therefore, concern the risks that participants in research in the areas of the human and social sciences would incur arising out of different techniques of data collection utilized by the researchers who access the participants directly.

In the next section, I examine the techniques most utilized in Brazil, with examples from research in the education field.

Ethical questions raised by research methods in the human and social sciences: examples from the area of education

Consulting recent issues of periodicals that publish reports of research in education *Educação em Revista* (Education under Review) (UFMG), *Educação e Pesquisa* (Education and Research) (USP), *Cadernos de Pesquisa* (Research Notebooks) (Fundação Carlos Chagas) the most common methods of empirical data collection in this area can be observed:

- the use of in-depth interviews in the production of autobiographical narratives, of descriptions of experiences undergone, or of processes of construction of meanings, of concepts or happenings;
- the use of visual materials in the research – photographs and films utilized as registrations of scenes which are the object of investigation;
- holding group meetings for the collection of research data: reports of experiences, opinions on themes or events (operative group, focal group, conversation);
- use of questionnaires that investigate perceptions, representations and opinions on experiences, concepts or happenings related to educational processes or environments;
- use of objective tests for evaluating cognitive, social or affective development and of the learning of students at diverse teaching levels;
- tests for the evaluation of artefacts and methodologies for the learning of school disciplines;
- intervention research of a qualitative nature – observation and analysis of cognitive, socio-affective or group processes, with the analysis of the conversations of participants during sessions in general registered by audio and/or video.

The majority of these methods of empirical data collecting were invented by research pioneers in the human and social sciences, especially in the areas of psychology, social psychology, sociology and anthropology.

From the area of psychology came the objective tests for measuring intellectual capacities and personality characteristics, derived from the method of the questions used in the first studies of perception and intelligence. In the first psychology laboratories, at the end of the 19th century, the researchers sought to comprehend perception, the feelings, the motivation for action and human thought through the collection of empirical reports, witnessed by the subjects. These reports took shape through open interviews (the questions) or through questions with predetermined replies. Observations were also made of the actions of individuals (children or adults), individually or in groups, seeking to understand the motivation of the behaviour in different social situations. From the psychological clinic, especially in the work of psychiatrists and psychoanalysts, came the interviewing techniques, which sought to bring to the surface the unconscious motivations, and the research with narrative of life histories, because, especially in psychoanalysis, many psychological processes are held to be determined by events occurring in the first years of life. (AVANZINI, 1999; FRAISSE; PIAGET, 1968; TALAK, 2014).

From social psychology came methods of observation, data collection and analysis of group processes, of social attitudes and representations, of the group and institutional processes, with the objectives of comprehending how the real or virtual presence of the other can influence perception, the feelings or cognition in human beings. (CRANO; LAC, 2012) To experimental social psychology we owe many of the research techniques with groups that seek knowledge of the effects of social interaction and of the group processes - group pressure, sociability networks, status structures and social power - on individual choices (DOISE; DESCHAMPS; MUGNY, 1991). From the area of sociology came the public opinion polls and the studies on the effects of social structure on individual or collective behaviour. To anthropology we owe participant observation techniques and those of immersion in various cultures, seeking to comprehend the cultural standards and their effects on individuals from the dialectic between the internal and external views of the culture (NACHMIAS; NACHMIAS, 1981; FILSTEAD, 1970; BAILEY, 1982; LASSITER, 2005).

In all these cases, whenever it was necessary to approximate the vision of the subject on the individual or collective phenomena, three ways of obtaining data were shown to be indispensable: observations (participant or not), interviews and questionnaires. These are the basic techniques of data collection that we see now increasingly sophisticated in empirical education research, which concern, in the majority of the cases, human beings in interaction. The foci of the research are communication structures and language; the structure, organization and production of groups meeting in classrooms and/or educational institutions, the group hierarchies, the processes of formation of leadership and social power, the influence of individuals on each other, the dynamics of the conflicts and formation of consensus, the emergence of roles and social norms.

In the area of research on the school, especially, in the last thirty years, approximately, research has expanded and the themes broached have become more diversified. The interest for the study of educational processes has become deeper. According to André (2001), if in the period prior to the 1970s the greater focus was on the influence of extra school factors on the performance of students, greater attention now is given to the weight of intra school factors. So it is that one can observe now a prevalence of studies on the daily school routine, the functioning of the curricula, the social interactions within the school, the ways of organizing teaching work, the learning of reading and writing, relationships in the classroom, discipline and evaluation. The examination of generic questions, almost universal, is giving way to analyses of localized problems, whose investigation is undertaken in its specific context.

The theoretical focuses have also expanded and diversified. According to Gatti (2004), the propagation of the methodology of research-action and of conflict theory since the start of the 1980s, coupled with a certain disbelief that technical solutions were going to resolve the problem of Brazilian education, are changing the profile of educational research, opening the path to critical approaches. One no longer has exclusive recourse to psychology or sociology, but to anthropology, history, linguistics, philosophy. It is seen that to understand and interpret a large part of the questions and problems in the area of education it is necessary to use multi/inter/transdisciplinary focuses and multi-dimensional treatment. It can be stated that there is almost a consensus on the limits that only one perspective or area of knowledge impose on a proper exploration and satisfactory knowledge of educational problems.

Recent decades have also witnessed a change in the context of the production of research work. Although the large majority continues to be produced in postgraduate stricto sensu programmes, the themes chosen and the ways of developing these studies have been suffering modifications. If in previous decades greater interest was shown in the controlled experimental situations, of the laboratory type, more recently it is the examination of real daily life situations of the school and the classroom that constitute one of the principal concerns of the researchers. If the role of the researcher was above all that of a subject from outside, in recent years there has been a great valuation of the view from inside, responsible for the appearance of much work in which the experience of the researcher him and her/self is analysed, or in which research is undertaken with the collaboration of participants.

There is one further aspect of research in human sciences that should be mentioned, especially in the sciences of education, with important impact on ethical questions. This is the fact that much of our research produces constructs and concepts that are eventually incorporated into daily language and in social policies, contributing to the construction of classifications and discriminations of certain individuals or social groups. These classifications, in their turn, can generate the so-called link effect (following the philosopher Ian Hacking), leading individuals to identify themselves with the labels that describe them and to regulate their behaviour according to them (HACKING, 2001). For this reason also it is necessary to take care with ethical questions. According to Gatti:

> Various situations can be mentioned in relation to research on themes of education, such as the preparation and use of educational indicators that, frequently, give rise to systems of classification of groups and institutions with important repercussions for educational policy decision-making. The work and publicizing of research results based on the construction of quantitative data can also produce a set of dilemmas and ethical debates that demand reflection. (GATTI, 2004, p. 12).

The data collection techniques cited above involve the direct contact with the participants in the research, through interviews, replies to questionnaires (with or without the presence of the researcher) or behaviour observations in real situations, individually or in group interactions. They may also involve access to data collected by means of audio-visual methods that may be used in research reports with the use of images. And these same techniques have been used in research in the area of health such as in epidemiology (which requires intense field surveys), in nursing (which continuously evaluates the satisfaction of the human subjects which are the object of the nursing care), in physical education (which also evaluates the influence of psychological and psychosocial factors in the performance of athletes), to cite only some examples.[6]

In view of the necessity of these contacts, both Resolution 466/2012 and Resolution 510/2016 establish the need for explaining to the participants the objectives of the research. Their rights relative to withdrawing themselves from the research at any time during its realization without suffering any penalty must also be addressed, as also those relative to the confidentiality of information they give, to privacy in the data collection environment, to the reimbursement of any expenses incurred in participating in the research, to damages that the research may cause them and how the researcher will act to minimize them. These explanations must be supplied on the documents to be delivered to the participants before obtaining their agreement in relation to participation in the research: Term of Free and Informed Consent in the case of adults with autonomy to judge, and the Term of Free and Informed Assent envisaged for the case of underage participants or those with cognitive difficulties. In these cases the document must also be signed by the responsible adults.

Resolution 510/2016 established a more flexible procedure for obtaining the agreement of participants. In the case of research in the human and social sciences, the consent or assent can take the form of a written document, an image or can be made orally, registered or otherwise in conformity with the characteristics of the participants or the situation, at the discretion of the researcher. The text states that:

> Art. 4 - The processes of consent and of free and informed assent involve the establishment of a relation of trust between the researcher and the participant, continually open to dialogue and questioning. They can be obtained or registered at any phase of the execution of the research, as well as withdrawn at any moment, without detriment to the participant. (BRASIL, 2016).

The crucial question in contact with the participants seems to be in forecasting and explaining possible risks that the research may involve. These risks (as also appears to be the case in biomedical research) can include, in the case of narrative interviews or questionnaires, embarrassment or discomfort caused by the loss of privacy or the bringing back of highly emotionally charged memories, by the difficulties in broaching certain subjects. In the case of ethnographic observations, uncomfortable situations caused by the presence of strangers in the environment can also be observed.

Among researchers in the area of human and social sciences, above all those whose research requires frequent and profound interaction with the participants, the ethical questions related to the acceptance of differences and of the singularity of the participants are very important. In this sense, the “respect for cultural, social, moral and religious values, as well as for the habits and customs of the participants in research”, postulated by Resolution 510/2016, is considered appropriate. In the case of research with subjects considered vulnerable or with adolescents and children, the Resolution also is

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[6] In my experience on the Committee of Ethics in Research, I examined numerous projects in these areas that utilized research techniques deriving from the human and social sciences. I shall describe this type of research in more detailed fashion on another occasion.

correct in proposing a treatment of the participants which respects their voices, rejecting the relationships of authority. The contribution of this legal document is also recognised when it admits that the terms of consent or assent can be obtained through non-written procedures (MORAIS et al., 2017).

In the case of research with adolescents, for example, the discussion on obtaining the consent of parents or responsible adults for participation in research that involves sensitive and intimate questions, such as situations of domestic violence, violence in dating, sexual options, among others, is especially relevant. There are cases where the obtaining of the term of consent presents difficulties, as when the adolescent does not wish to speak to the parents on the subject, or when the parents don't allow it. In these cases, the samples of the research themselves may be harmed. Thus the utilization of passive terms of consent are argued for, that is, the absence of a reply can be considered as authorization (BORGES; DELL'AGLIO, 2017).

Other situations of vulnerability may require special procedures in obtaining the terms of consent or assent, and Brazilian researchers have expanded reflections on these questions from the demands placed by the regulations on ethics. Vulnerability denotes, according to Resolution 510/2016, situations in which people or groups of people have their capacity to take decisions and put up resistance in the research situation reduced, because of individual, psychological, economic, cultural, social or political factors (BRASIL, 2016, p. 4). Included in these situations are cases of street-living children and adolescents, people involved in adoption processes, adolescents under ongoing socio-educational measures, religious communities, people subject to sexual exploitation or situations of violence, subjects involved in drug trafficking. In these cases, the attention to ethical questions needs to be modulated by specific procedures in obtaining the consent or assent of the participants.

The periodical *Revista da SPAGESP* (*SPAGESP* journal), published by the *Sociedade de Psicoterapias Analíticas Grupais do Estado de São Paulo* (The Society of Analytical Group Psychotherapy of the State of São Paulo), edited in 2017 a special volume of reflections on the treatment of issues related to ethics in research with participants in a situation of vulnerability. The volume, coordinated by the researchers Fábio S. Comin, Normanda A. Morais and Sílvia H. Koller, brings together information of great importance in the articles of researchers with experience in these fields. Their reflections contribute to showing the contribution of the human and social sciences to the debate on the protection of participants in research situations (SCORSOLINI-COMIN; MORAIS; KOLLER, 2017).

This contribution is also stressed by the researchers Adriana Silva Barbosa, Carlos Montero Corrales and Marcos Silbermann, who raised the question of knowing if the area of the human and social sciences should be dealt with in specific committees of ethics. In the opinion of these researchers, the system of the examination of questions of ethics in research involving human beings has a lot to gain from the maintenance of the interdisciplinary composition of the committees of ethics in research (CEPs), as both the area of biomedical research and the human and social sciences area can benefit from the knowledge of colleagues. In their words:

> In addition, the CEP can and should utilize the potentialities deriving from its multi-professional character to carry out its functions, employing, therefore, a transdisciplinary approach in the plenary discussions and ethical reviews of projects. In parallel with the progressive consolidation of the committees of ethics focused on the analysis of the specific factors of the social area in Brazilian institutions, it is important to stimulate the entry of professionals in the areas of human and social sciences in the already existing CEPs, making possible increasing awareness and capacitation of its members in the methods and techniques utilized in these areas. (BARBOSA; CORRALES; SILBERMANN, 2014, p. 488).

Despite the support they mention for the interdisciplinary composition of the organs charged with promoting the observance of ethical principles and research with human beings, Barbosa, Corales and Silbermann (2014) also observe that the legislation permits the organization of specific committees for the area of human and social sciences. The authors, however, emphasise that the preservation of the diversified composition of the committees of ethics in research is highly desirable, as it proportions the opportunity for dialogue between the areas of the human, social and biomedical sciences.

Conclusion and perspectives in the relationship between health sciences and the human and social sciences

In this article, a brief analysis of the current situation of the debate on the procedures for guaranteeing observance of ethics in research with human beings in Brazil has been undertaken. The regulation of the procedures currently utilized for obtaining authorization for carrying out research under the CEPs-CONEP system, submitted to the determinations of Resolutions 466/2012 and 510/2016, arises both from the international and national charters relative to human rights as well as from guidelines stemming from the definitions of bioethics.

The debate currently ongoing in Brazil concerns both the discussion of the relationship between the human and social sciences and the principles of bioethics as well as the question of the research methodologies held to be specific to these sciences and that would be, in the opinion of some colleagues, not well understood by researchers from the biomedical area, who in general are in the majority in the composition of the CEPs-CONEP system.

In relation to the first question, we have seen that the analysis of the ethical questions concerns primordially the protection, and the physical, as well as the psychological and socio-cultural security of the research participants. In this sense, it can be clearly seen that it is a problem concerning the area of health (physical or mental, in its psychosocial dimension), that is, belonging in large measure to the field defined by bioethics.

As regards the second question, relative to the dialogue between the areas in the interdisciplinary committees of ethics, it is seen that the variety and sophistication of the research techniques considered appropriate in the human and social sciences attract the attention in research in the biomedical area in general. Thus, it can be stated that the presence of professionals from the area of human and social sciences in the committees is salutary, as it can contribute to explaining aspects of these techniques and, therefore, illuminating better the decision-making processes in these collegiates. The preservation of the possibility of meeting of researchers in the diverse areas who concern themselves with the investigations of phenomena involving human beings as participants can be considered desirable, although the regulations themselves admit the existence of committees set up specifically for the analysis of research in the human and social sciences.

Finally it should be observed that, although the system has been recently constituted in Brazil, there already exists a quite elaborate volume of research and reflections that contributes much to clarity and advances in the direction of making the whole decision-making process more efficient and significant in relation to ethics issues in research with human beings. It is expected that in the next few years new research will be done to evaluate the joint activity of the committees of ethics in operation in Brazilian universities and research institutes, to make continual perfecting of the system possible.

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