

Caught in translation

Ethics in practice through research evaluation

Abstract

What constitutes ethical research, and which instruments are best suited to ensuring that research is conducted in accordance with existing rules and norms? In this article, we take a pragmatist approach to research ethics and investigate the ways that ethicality is constructed, negotiated, and affirmed in practice. To understand the ways that ethics are made in practice, we look to high-stakes discussions among expert practitioners: review panel discussions at a national research funder. We focus on review panels for artistic research, a relatively young and multidisciplinary research field, and analyze interactions around research ethics that we observed over the course of two annual funding cycles. By centering the creative and interpersonal process of asserting and negotiating what is and what is not ethical research, this study provides a bottom-up perspective on research ethics and seeks to contribute to ongoing discussions about the tensions and paradoxes that face qualitative research in the social sciences and the humanities under existing systems of ethics regulation and oversight in Sweden and beyond.

Keywords: Research ethics; Research funding; Artistic research; Ethnography; Research evaluation

WHAT CONSTITUTES ETHICAL research, and how are the bounds of the ethical negotiated by researchers? Contemporary debates across disciplines and national contexts find researchers voicing concerns that current institutional systems for ethical oversight fail to produce ethically sound research. In Sweden, the UK, and the US, ethnographers have been among the most vocal critics of a system that they see as an inappropriate extension of positivist biomedical frameworks onto interpretivist and qualitative research (Mapedzahama & Dune 2017; Wästerfors 2019; Eldén 2020; Atkinson, Cataldi & Wästerfors 2024). Similar complaints about the mismatch between existing frameworks and the concerns and conditions of qualitative research can be seen in writing by criminologists, who argue that bureaucratic institutions like institutional review boards (IRBs) are more concerned with legal liability than with the protection of research participants (Gunnison & Helfgott 2021), and in arguments from minoritized scholars, who see the expansion of ethical review to social and behavioral research as a risk as non-ethnically diverse IRBs may lack the experience to fairly judge the ethics of ethnographic research with minoritized communities (Tapia & Martinez 2017). For researchers who understand their approach to include moral enterprises

such as providing voice and agency to marginalized groups, decisions by risk-averse review boards to limit research on at-risk populations effectively constitutes a form of disenfranchisement (Ashencaen Crabtree 2013). Mathias Detamore offers a series of illustrative questions concerning research done in collaboration with participants and their communities: “What happens when the ethical standards of bureaucracy do not fall in line with the ethical formations, norms and values of the human subjects we study? [...] how can we gain the trust to engage our participants if we cannot engage them on their terms?” (Detamore 2010:174–175). These critics and others argue that existing frameworks for ethical oversight cannot satisfactorily accommodate interpretivists and qualitative research.

In this article, we aim to accomplish two things: first, we offer an empirical contribution where we analyze the ways that research ethics are negotiated in practice by researchers and show how legal and bureaucratic ethical principles interact with other visions of ethical research practice. Second, drawing on these empirical examples, we situate our findings in the ongoing debate on the mismatches between bureaucratized ethics oversight and the often distinct and discipline-specific ethical principles that scholars adhere to in their work. We look to interactions between researchers in a high-stakes, zero-sum environment – a review panel for a national research funding agency – and their discussions of ethicality as a marker of high-quality research over two years of panel meetings. Existing research on funding panels (Langfeldt 2001; Lamont 2009; Roumbanis 2017) shows them to be sites of negotiation, with a wide range of phenomena beyond the formal procedures shaping deliberation and outcomes. In what follows, we center the panel’s work to assess and justify the relevance of ethics for the quality and feasibility of future research – an evaluation both informed by and distinct from institutionalized research ethics evaluations. We focus on panels convened to determine funding for artistic research – a revelatory case selected for its non-canonical status (Krause 2021) and potential value for the inductive development of theory (George & Bennett 2005), as discussed below. Drawing on conceptual tools from cultural sociology and valuation studies approaches, we show how the meaning of research ethics is constructed in practice with and against diverse registers of value that include, but are not limited to, institutionalized research ethics. We show how the development and deployment of “soft” ethics can have consequences, including their role in disciplinary formation and gatekeeping. Finally, we show how institutionalized ethics is mobilized alongside other ethical principles when the identity and boundaries of disciplines are under negotiation, and discuss implications for contemporary discussions on how research ethicality should be accomplished and by whom.

Background and literature

There exists today a rich commentary on the mismatch between institutionalized research ethics in which scholars in different fields and traditions reflect on their experiences from acting on review boards or having their work evaluated by the same. At the same time, however, few studies have approached the matter empirically, and

most existing studies have tended to focus on the work undertaken by institutional review boards (see, e.g., Sieber 2004). Moreover, as Nicholls and colleagues (2015) have found, existing empirical studies rarely use ethnographic methods to capture how ethics evaluations happen in practice. Like the literature on funding panels, studies of institutional review boards highlight the influence of local cultures on decisions, showing how such institutions are social arenas where norms, expertise and organizational constraints are negotiated in interaction between reviewers (Hedgecoe 2008; De Jong, Van Zwieten & Willems 2012). Much work focuses on ethical review as a regulatory regime, finding a gradual expansion in scope and increase in intensity of review over time (Haggerty 2004); here, a normative position warning against the growth of ethical review as regulatory regime has been common (Schrag 2011) as well as a focus on how the ethical criteria under review are poorly suited to social science and cultural fields and approaches specifically (Lederman 2006; Librett & Perrone 2010). Following this line of argument, an ongoing Swedish professional and academic debate has questioned the suitability of the current Swedish ethical review framework for evaluating both ethnography and other interpretative forms of research, and artistic research (Colnerud 2014; Wästerfors 2019; Edlund, Eldén, Wästerfors et al. 2022; Boothby 2024), finding the regime too strictly modelled on bio-medical research in its treatment of human research participants. The literatures on research evaluation and ethical review provide important context for this article, suggesting that the ethicality of research (like other qualities) is an object of negotiation, where principles and standards of evaluation are as contested as the evaluative claims themselves.

The tensions highlighted in the ongoing debates on research ethics in ethnography, bio-medicine, and artistic research illustrate the multiple nature of ethicality and highlight the challenges that arise when conflicting ethical principles are brought to bear on the same disciplinary practice. We approach these conflicts through a two-pronged approach. In studying how these conflicts are negotiated in practice, we approach evaluations of ethicality as processes of meaning-making in which participants negotiate the meaning of ethical research. We understand the multiplicity of ethics to be the practical accomplishment of negotiation and translation and follow current approaches in cultural sociology that acknowledge meaning as emergent in the interactions among actors and their contexts (Reed 2011; Tavory & Timmermans 2013; Norton 2014). Scholarship in this tradition highlights the importance of attending to the semiotic chains involved in meaning-making processes. Drawing on the works of pragmatist Charles Sanders Peirce, Matthew Norton (2019:12) argues that the “webs of significance” that cultural sociologists following Geertz (1993) have identified as the carriers of meaning do not arise from a “single semiotic tie, but from a system of signs interrelated (...) through the concrete mechanisms that constitute semiosis.” To understand social processes – including decisions on what is and what is not ethical research – one must therefore look to the systems of signs mobilized in meaning-making processes and ask why something, rather than some other thing, becomes meaningful in a particular context, and among certain social actors (Norton 2014; McDonnell, Bail & Tavory 2017).

By anchoring meaning-making in systems of interrelated signs, this approach to

culture reconstitutes meaning as a product of a semiotic effect built on translation. As Peirce writes (1933:132), meaning “is the translation of a sign into another system of signs.” Through translation, lines of ink on a sheet of paper are transformed into a confirmation by an informant of their informed consent to participate in a study. This translated sign (or “interpretant”, in Peirce’s terminology), can in turn be translated further into a sign of ethicality if the researcher finds themselves needing to justify the ethical soundness of their work. The relevant meaning depends not on a quality of the object itself (the signature), but on the combined efforts of people and the resources – traditions, ethical principles, heuristics, laws, and standards – they have at hand in their context. Legally defined terms such as “sensitive personal information,” can support chains of translations that transforms a researcher’s interest in a certain genre of lived experience into a sign of ethical hazard (or a lack thereof) in ethics evaluations. When used in this way, they enact a strict division between two classes of objects: research concerning sensitive personal information, which must be subjected to a specific form of ethical oversight, and research that does not. In critiques against subjecting qualitative ethnographic research to the same forms and standards of ethical review as biomedical research, for example, a central point of contention has been the legislator’s reliance on GDPR legislation and its definitions of “sensitive” information as the system of signs used to denote what is and what is not potentially problematic and akin to other forms of ethically sensitive research, including research involving surgical or medical interventions on participants.

Although an endless range of signs may hypothetically be used to signify the meaning of an object, only some are plausibly meaningful in any one social, historical, cultural, and interactional context. Scholarship in valuation studies has long worked to map and analyze the cultural systems that allow actors to assign value to things, objects, or courses of action. This literature asks how particular logics, orders of worth, and registers of valuing (Boltanski & Thévenot 2006; Heuts & Mol 2013; Lounsbury, Steele, Wang et al. 2021) culturally institutionalize specific meanings and allow for their mobilization; a process that has been described by valuation studies scholars in studies ranging from academic peer review (Lamont 2009; Olofsson & Gerber 2025) and university rankings (Espeland & Sauder 2007), fine art (Karpik 2010; Gerber 2017), and the valuation of oil spills (Fourcade 2011). Studies have shown how stable language can conceal widely divergent meanings, as well as the ways that new meanings emerge and translate into valuation practices (Khair & Wadhvani 2010), and suggest to us that terminology like “research ethics” likely encompass a broad variety of meanings and that the activation of particular meanings is likely to be associated with specific registers of valuing. Attention to the proliferation of values and valuation practices, along with an empiricist approach to valuation that rejects restricted and normative definitions of particular values, has led to a proliferation of pragmatist inquiries into the actual processes of meaning-making and cultural mobilization that concretely make up values and valuation (Heinich 2020; 2021).

Understanding the practical implications of the ways that some signs are successfully translated into meaningful markers of ethicality requires a dual focus that

takes into account both actors' meaning-making practices (and the semiotic effects involved) and the registers of value that support and constrain such meaning-making. What constitutes informed consent, for example, varies between different contexts and methodological schools depending on what sign-meaning translations have been institutionalized in practice. The meaning of informed consent among ethnographic researchers (see, e.g., Thorne, 1980), for example, differs from the meaning of consent outlined in bioethics (see, e.g., Beskow, 2016). The combination of a cultural sociological approach to meaning-making with sensitizing concepts drawn from valuation studies enables attention to the ways in which different settings operate with culturally agreed-upon meanings in which certain translations between systems of signs are more resonant and can be more strongly institutionalized than others.

Case and context

Our investigation takes place in Sweden: a national context where concerns about the institutions and boundaries of ethical review are particularly lively, visible, and heightened. In recent years a broadening of the scope of bureaucratic, institutional ethical review (from biomedicine to qualitative social and humanist research) was the result of political intervention through legislation. In the *travaux préparatoires* put forward when the law on ethical review in research on human subjects was reviewed in 2007, the minister for education, Lars Leijonborg, and the minister for enterprise and energy, Maud Olofsson, argued that research involving interviews – for which the previous version of the law only required that researchers obtain participants' informed consent – poses a significant risk to participants and should therefore be subject to formal review. Interviews, the ministers wrote, expose research participants to a “high risk” of an unwanted “emotional or physical response” as researchers may seek information that “may be emotionally charged.” Because of these risks, they concluded, interviews and similar research methods involve “a clear risk of harm to research participants” (Olofsson & Leijonborg 2007:34–35). The revisions were controversial, and several universities and institutes were highly critical of the government's decision to include interviews with and participant observation of consenting participants under the scope of ethics review. Further revisions to the law, including one made in 2020 (see Löfven & Ernkrans 2018) that broadened the scope of the Ethical Review Appeals Board's oversight, raised the minimum punishment for having overstepped the bounds of permits issued by the Swedish Ethical Review Authority to 24 months imprisonment, and made negligent misconduct a criminal offence, have done little to appease critics. Researchers from the social sciences, artistic research, and beyond argue that the current system of oversight poses a direct threat to humanistic and social science research (Goldman, Blandon, Saati et al. 2023) at the same time as it reduces research ethics to little more than a bureaucratic hurdle in the form of the ethics review (Alvesson & Paulsen 2024). Some scholars go as far as arguing that the current legislation introduces tensions and contradictions that effectively prohibit them from carrying out what they understand to be morally, ethically, and epistemologically good research (Wästerfors 2019; Boothby 2024).

There are few disciplines at present in the Swedish national context that are not concerned with the fit between the current legal and institutional framework for ethical review and disciplinary, professional, and local understandings of research ethics. We look to artistic research in this context not because its concerns are distinct from those of other disciplines, but because in its relative youth and diversity we find that issues common across disciplines are made explicit in artistic research: discussions of ethicality tend to be negotiated aloud, and given the recent expansions of the scope of institutional ethical review relatively few artistic research practitioners have either experience with or trust in bureaucratic systems of oversight. Artistic research in the Swedish context is a particularly fruitful case for those interested in the ways research is made ethical in practice.

Artistic research – “research conducted with artistic practice as its base and artistic practice as its object” or “research conducted by artists, who research within and through the arts” (Lilja 2015:14) – is a scholarly discipline aiming to produce knowledge through artistic practice. The discipline can be seen as emerging or unsettled, and it is not yet fully internationalized or institutionalized in comparison to “mature” disciplines like mathematics, literature, or sociology (Olofsson & Gerber 2025). Artistic research in Sweden is relatively well developed as a field closely related to but distinct from artistic practice, with research funding from both national and private funders, professorships, doctoral programs, preparatory master’s programs, and national conferences, research schools, and symposia. Compared to other national contexts, artistic research in Sweden remains loyal to artistic practice and values rather than privileging the standards of other academic disciplines – this “Nordic model” is influential globally, in part thanks to the publications that have emerged from it (Elkins 2014:10–11; Gerber 2023). Within artistic research in Sweden, different forms and traditions – music, theatre, the visual arts, dance – form subfields, and the “artistic research” umbrella brings these diverse subfields into contact as clowns, architects, lutenists, and painters meet at conferences, evaluate each other’s doctoral theses, and judge the quality of applications for funding. The relative youth of artistic research as an academic discipline as well as the diversity of practices included under the umbrella of artistic research makes it a uniquely well-situated vantage point from which to analyze the ways in which contextually embedded ways of valuing are used to signify in practice.

Artistic research is subject to the same standards and legislation as other research disciplines in Sweden, and many artistic researchers experience the same tensions and incompatibilities between research practice and formalized research ethics as the ethnographers and others discussed above. However, while ethnographers, who tend to be thoroughly embedded in the academic world, offer their critique from within the system – publishing it in books and research papers that are easily accessible to other researchers – artistic researchers have tended to offer their critique from the high-scholarly sidelines, in interactive contexts like seminars and in publication forms not always indexed in scholarly databases and that lack markers of legitimacy important in other fields like impact factors listed on journal homepages. Artistic researchers

tend to engage across diverse communication and publication channels, which both makes their critiques less legible to academics from other disciplines and provides them with expansive possibilities and venues for voicing critique. According to many artistic researchers, the often-interpretive nature of artistic research makes it incompatible with systems of ethical review that determine what is ethical based on cost-benefit balancing (Bolt 2016). Artistic researchers' aspiration, methodological texts in the field argue, is to immerse oneself in the phenomenon they study and to engage participants and audiences through a practice of radical togetherness (Hannula, Suoranta & Vadén 2014), or to effect change by challenging norms and provoking reaction, "sometimes by deliberately creating uneasiness and discomfort" (Zurr & Catts 2014:202). Artistic researchers, like other critics, understand themselves and their practices as both a challenge to contemporary ethical review frameworks and an invitation to their reform.

Methods

In this article, we explore how ethicality is negotiated in the work of a review panel at a national funder of artistic research. We use data from observations of review panels at the Swedish Research Council. The Council is a Swedish governmental agency that funds research in the sciences, social sciences, the humanities, and other academic disciplines. Since 2003, individuals in Sweden have been able to apply for artistic research project funding from the Research Council, and other funding instruments (postdoctoral funding, research environment funding) are also available. Artistic research has its own Committee at the Council responsible for allocating research funds (including appointing review panelists), hosting symposia, and publishing research overviews. As part of a larger research project studying collective research evaluation aimed at building on previous research on peer review within the Swedish Research Council (Roumbanis 2017), the Research Council of Norway (Langfeldt 2001), the European Research Council (Luukkonen 2012; Brunet & Müller 2022), and the U.S. National Science Foundation (Lamont 2009), we conducted non-intrusive observations of review panel meetings over two annual funding cycles.

Review panels made up of senior researchers are a useful window onto the practical production of research ethics for three reasons: first, in our observations, panelists' discussions are rife with claims regarding the ethicality of the research proposals they judge, though their mandate does not include ethical review in the legal or institutional sense. Second, panelists must conceptually and interactionally juggle extant legal frameworks (in Sweden, the changing institutional landscape of ethical review) with disciplinary, professional, theoretically-inflected, and subfield-specific views on research ethics; as practicing researchers, panelists are aware of the tensions between varied approaches to research ethics. Finally, stakes are high during panelists' discussions, and the panel's decisions have a significant impact on disciplinary formation and gatekeeping. At the Council, panelists are explicitly asked to avoid substantive evaluations of the ethicality of research proposals. In practice, this does not mean that research ethics, even in the legal register used by the Review Authority, are absent

from the discussions at the panel. The Council's stated position is that it does not fund unethical research and that ethics is a natural part of the evaluation processes (The Swedish Research Council 2024). In our observations, this commitment was visible, for example, in discussion of ethics as it relates to research quality and feasibility.

Observations were carried out by Gerber and Olofsson who were both present at all meetings. Beginning about a year before our first observations we negotiated access to meetings and related data and materials with the organization's leadership, the relevant scientific advisor and committee, and the panelists and staff members we observed. Those we observed received detailed information on the project in participant information letters, including our approach to preserving confidentiality, data management, their rights concerning data representing them, and our ultimate aims. As part of our negotiated access, we were unable to audio record the proceedings for later transcription, so we aimed to document the back-and-forth among panelists and staff accurately and to capture phrasings verbatim when possible. We typed fieldnotes throughout meetings and processed them in the following days, at which time the products of the hurried typing from the meetings were cleaned and all participants pseudonymized. Our fieldnotes are at first glance far messier than the documents either of us typically produce in ethnographic or interview research, because our commitment to capturing verbatim statements could be in conflict with the conditions of our observations: panelists' discussions were very fast-paced; we both dealt with recurring momentary physical and mental fatigue; and our notes reflect the constant language switching at play in the room, with panelists using a combination of Scandinavian languages and English. In our analyses we have carefully compared our paired fieldnotes to establish confidence in their accuracy for the discussions represented here. Moments that were documented thoroughly by only one of us (when fatigue overtook the other for a moment, for example) are treated only as context and background information. When excerpts below are enclosed in quotation marks, we have high confidence in the accuracy of our real-time transcriptions. For moments when we are less certain about the exact wording or details of what panelists said, we offer edited excerpts from fieldnotes instead.

Our analysis uses an iterative approach aimed at identifying and exploring themes and variation (Becker 1976; Glaser & Strauss 2009; Tavory & Timmermans 2014) and took place in three main cycles of coding. After our first year of observations, we developed a preliminary coding scheme based on the project's overarching question ("How do architectures of evaluation interact with internal and external norms in the development of standards for quality in the artistic research field?") and our experiences and reflections coming out of our observations during the first annual funding cycle. Working with the preliminary coding scheme, we coded our own and each other's fieldnotes and developed an expansive coding scheme. We then met up to refine our code scheme before working our way through our own and each other's fieldnotes again, at which point panelists' concerns about, engagements with, and conflicts around research ethics emerged as a theme. After the second year of data collection, Edling joined the project for a third cycle of coding, analysis, and writing,

and we undertook a strategic coding cycle focusing on the themes of this paper. The analysis outlined below represents our shared understanding of our data in relation to the paper's aims and concerns.

Since our focus is on the processes through which different markers of ethicality are assigned to research projects and practices in discussions of research ethics, the analysis does not focus on individual panelists. For readability, however, we occasionally use titles such as "Panelist 1" and "Panelist 2" when presenting interactions between panelists. These titles are not associated with any particular panelists, so "Panelist 1" might refer to one panelist in a fieldnote excerpt cited below, and to another panelist in another excerpt discussed a few pages later. As artistic research is a small field and because there is a good deal of publicly available information about the process we observed and its participants and outcomes, we have chosen to occasionally replace information from our fieldnotes with descriptive information in brackets. We have also occasionally masked identifying information, for example, by changing terms used to describe a particular artistic practice or process to words associated with another. We view consent as an ongoing negotiation, and we have maintained contact and presented preliminary findings for audiences including our participants and organization leadership. In light of discussions with participants after our data-collection phase and our understanding of the issues that are sensitive in the local context (which are very distinct from current research-ethics definitions of "sensitive" personal data, which we have not collected) we have aimed to err on the side of preserving confidentiality for those we observed and those they discussed, occasionally making minor alterations to protect the integrity of both panelists and funding applicants. All translations from Scandinavian languages are our own.

Results

In what follows, we outline three different registers of signs that the panelists drew upon in their discussions of ethical merits and challenges in the evaluated projects. These registers include systems of signs of different degrees of abstraction – from local, disciplinary, understandings of ethicality to abstract theoretical schools such as postcolonialism and commitments to sustainability, and the near-universal systems of signs inscribed in legislation and standards. As we noted above, the context of the panelists' discussions differs from the ethics review boards traditionally surveyed in studies on research ethics evaluations. On the first day of the first meeting of the funding cycle the chairperson, together with funding agency staff, welcomed the panelists and outlined the work ahead of them. They reminded the panelists of the role that ethics was to play in their evaluations. The panel's work, the chairperson said, was to decide whether applicants had a good approach to ethical issues; the panel was not to assess whether the research proposed would be, if carried out, ethically correct in the legal sense. The latter, the chair continued, is for the Ethical Review Authority to decide. This meant that ethics occupied a dual position in these discussions. It was a fundamental matter in that the agency's stated policy is that it does not fund un-ethical research while also

being reduced to a variable among many that, rather than take center stage, was to inform assessments of things such as “research quality” or “project feasibility.” This dual position meant that panelists were free to discuss ethics in ways that extended far beyond the confines of institutionalized ethics regulation.

Research ethics in the context of this panel, then, boiled down to two questions: whether the applicants had provided a satisfactory account of and reflection on their projects’ ethical implications, and whether those discussions and reflections affected the quality or feasibility of the research outlined in the project proposal. The handbook provided to panelists by the funding agency specified questions such as: whether the applicants demonstrate sufficient awareness of the legal requirements outlined in the ethics legislation; whether the application included a satisfactory degree of reflection regarding the project’s potential risks and their implications for whether the project would need to undergo ethics review, and whether the applicants had included a sufficient discussion of their project’s potential ethical challenges and how they would manage them.

At times the panel’s work on these matters was straightforward and unproblematic: panelists simply made a broad, general note drawing on the register of valuing outlined in the handbook: “When it comes to the ethics, I think they have thought this through very well”; or “It’s very well ethically reflected. They have been really careful about all of the ethical issues, with help from the institution they will get the permits required”. With broad comments like these, panelists moved on. But on other occasions panelists raised specific points or concerns; these moments were in the minority, but these discussions were often highly charged, emotionally loaded, and took significant time.

Subfield ethics

When panelists raised concerns over a project’s ethicality, they often did so in relation to their own subfield-specific concerns. In the panel’s evaluations of projects based in dance, for example, discussions often remarked on the ways in which project applications conformed to or challenged established hierarchies between choreographers and dancers and the traditions that award authorship and credit to the former and not the latter. Other examples of such subfield-based ethics included concerns about fair compensation of actors and stagehands in theater and questions regarding authorship and copyright in music. One panelist, then, criticized an application on the grounds that the applicant “doesn’t deal enough with copyright issues in relation to ethics. They say it’s there, but they don’t talk about it enough.” In statements of this kind, panelists pointed to signs associated with registers of value that they saw pertinent to the application at hand and translated them into a sign of problematic ethics. In many cases, such translations and the meaning-making they supported went unquestioned by other panelists. But in other instances, disagreements between panelists meant that diverse meanings competed in the evaluation of applications.

Research ethics emerged in these disagreements when panelists used arguments about ethicality to argue about quality evaluations. For example, in one instance,

panelists discussed an application from a relatively senior researcher. Panelist 1 argued against the application by saying that within the subfield its topic was “too trendy” and therefore of negligible quality and novelty. Panelist 2 argued strongly against the first panelist’s assessment; Panelist 2 first claimed that the applicant was a pioneer in their field, saying that the reason the topic could be understood as “trendy” was because the applicant had labored for years so that others could follow: “These are people who have been involved for two decades in establishing the conditions for working with these kinds of issues. If they are trendy, it is because they have made this topic trendy.” Panelist 2 immediately continued with an ethically grounded argument: “There is also the ethical aspect – you need to reward pioneers seeking to do work in fields that they themselves have made possible.”

We interpret these ethical statements as relying on the specific subfield of the assessor or the applicant, either as they relate to ethical frameworks within that field or because they relate to the development of a subfield. These uses of subfield-derived ethics in panelists’ discussions demonstrates one way that research ethics emerge beyond ethics regulation. Since panelists were under instructions not to attempt to do the work of the Ethical Review Authority but were allowed and encouraged to discuss applications’ ethicality in relation to the *quality* and *feasibility* of the proposed research, the structure of the panelists’ work allowed questions of ethics and ethicality to become far broader than the versions of ethics enacted in standards and regulation.

While such discussions may not appear to carry the same weight as the ethics outlined in regulation do, subfield-based ethics tended to allow panelists to make strong, clear distinctions between right and wrong, and applications were sanctioned accordingly. For example, one applicant described a project in which a team of researchers would collaborate with artists. The conditions of the collaboration were so upsetting to one panelist that they argued that the application did not even deserve a grade. This panelist began by describing the element of the application that had caught their focus: “The artistic work will be carried out by four as-yet unidentified artists, but they are not co-applicants [in this context, this means that they are not considered to be “researchers” on the project]. The artists’ work will be observed and they will be interviewed about their work.” The panelist re-stated the issues in ethical terms: “There is a lack of ethical reflection on issues of authorship [...] I would say that in this application the participating artists lose twice. They are not listed as co-researchers – it is written that they will do artistic research, but they are not included as researchers.” The panelist pointed to the final indignity, before culminating their argument: “And the artists’ works are to be understood as a co-production with the researchers. I set this score at a zero. This is not acceptable!”

The grade zero, technically, does not exist in the funding agency’s rating system (in which grades range from 1 to 7 or 1 to 3). The meaning sought in this panelist’s critique, therefore, is not simply that this is a bad application, but an application so egregious that it is off the scale. The applicant’s decision not to consider the artists co-researchers and the idea that the artists would not retain sole ownership of the works produced, the panelist argues, constituted a double injustice. In their critique,

the panelist points to the imperfect relation between two distinct disciplinary registers of ethical values, research ethics and artistic ethics – two registers that each outline systems for the assignment of contribution-based credit. In the application, the panelist argued, the artists are only imperfectly incorporated under each register: they are contributors to the research but are not credited as co-researchers and co-producers of the project's artistic outputs, not granted full ownership of the products of their work. Taken together, in the panelist's assessment, the imperfect relation between researcher-ness and artistic ownership both in the application and in the field more generally produces an evaluation so critical that it is off the scale.

These translations of sub-field specific concerns into statements about ethicality illustrates two important qualities of the meaning-making unfolding at these meetings. First, it shows how the panelists successfully built bridges across which issues specific to artistic subfields were able to move and gain enough legitimacy to be given weight and become meaningful. Second, it highlights the importance of translation between different registers in discussions about research ethics. The current legal framework is one such register, but in the panelists' work other forms of fair and just conduct were made relevant as well.

Expansive ethics

Subfield ethics were not the only resources panelists drew on in their discussions. In panel meetings, we observed how different epistemological, methodological, and moral registers were used to articulate more general positions regarding ethicality and its bearing on the evaluation process. Three particularly salient registers mobilized in support of such positions were post-colonial and decolonial theory; post-humanism, environmentalism and sustainability; and an ethics of care. Each of these registers come with epistemological and ontological commitments in ways that integrate ethicality with matters of theory and methodology, and it is here that the open-ended and interpretivist ethos in artistic research can be brought to bear on what can and cannot be considered ethical. What consequences can a commitment to sustainability or post-humanism have on research ethics?

Attempts at meaning-making drawing on values from a sustainability register allowed the panel to ask questions about, for example, what the appropriate trade-off between research quality and environmental impact might be. As one panelist suggested, "The [main applicant] is competent and the locations are relevant, but as I read in someone else's comments, the carbon footprint of this project will be quite large, going to Canada and New Zealand." In instances such as this one, the panel's instructions to assess the applicants' discussion of their projects' potential ethical challenges provided a window through which the panelists could suggest ethical implications and see whether their colleagues accepted them or not. As one panelist suggested, one application's lack of detail in terms of what the time spent abroad would contribute to the project raised concerns about whether its environmental impact could be justified: "They will travel a lot with the money, but they do not discuss if this is sustainable.

Also, they do not discuss what they will do in the summer schools [to be organized abroad]. Also, the researchers are very young. So I am worried about this project.” The panelist’s critique is structured around three rounds of translation. First, the panelist points to the application’s lack of discussion of the project’s environmental impact to signify a potential ethical problem. Second, the panelist then points to the lack of concretion in the applicants’ account of the activities they will undertake during their time abroad and the applicants’ lack of experience as signs that the project might not be able to deliver research of such quality that it would outweigh its lack of environmental consideration. The combination of these two rounds of translation is turned in a third round into a sign of problematical ethical issues born out of the imbalance between the project’s presumed quality and its environmental impact.

As with subfield-based ethics, the panelists’ use of expansive, theoretically-inflected positions to signify ethicality (or a lack thereof) in applications was at times successful, while at other times their arguments failed to win acceptance from their colleagues. Which translations were successful and which failed to inform the meaning-making processes in the room depended not only on the signs used, but on whether other panelists recognized the application-sign pairing as either natural to or resonant with research ethics. Where one panelist saw ethical problems, others might not. For example, when one panelist pointed to an applicant’s lack of engagement with indigenous perspectives to argue that a project, according to a post-colonial register of values, was extractive and unethical, the next panelist contested the validity of this claim:

A: So here is a project where I find that I might have to lower my grades [...]
There is no acknowledgement that there is a need for a deeper engagement with questions such as forestry and Sámi perspectives. I would say that this is an extractive colonial project. I think that in terms of how to apply these methods and technologies to a historically contested place which the applicant only seems to have a superficial knowledge of is problematic.

Chair: B, what do you want to add? You make a different assessment.

B: Yes. I see a good connection to the Sámi. I have to say that my assessment is quite different, and I read the application several times. I previously worked in Sápmi and must say that I am acutely sensitive in matters pertaining to the Sámi.

In the examples above, ethicality is the product of practical achievements of meaning-making by panelists in their discussions. Some of the translations are accepted as meaningful by the panel without much discussion. For other claims, however, the proposed meanings sought by the translation between application and signs signifying a lack of ethicality are challenged and shut down. For example, one panelist argued that a project outlined in an application was ethically “very problematic and extractive” because the applicant had failed to reflect “on the problems and positionality” and critically examine their own understanding of the relevant art form; “There are power relations in all these [artist-participant interactions] and [they] need to justify [their] right to work with these marginalized communities.” Without such justification, the

panelist argued, the project was extractive and therefore unethical. But while some of co-panelists recognized the validity of this claim, others disagreed, and in doing so they offered new ways of interpreting the relationship between the project and the values implied in the critical panelist's argument. One argued that the extractiveness that the critical panelist saw in the project was not unique to the application but was characteristic of the discipline. The potentially extractive nature of the proposal under discussion could not, therefore, be tied to the application alone, and since the panel was to discuss applications and not critique entire disciplines the argument should be rejected: "I just wish to comment on this. I agree that there could have been more reflection on the ethical problems [in the application]. But these issues are part of the larger practice. It's the application that is to be assessed."

These ethical evaluations draw on diverse ethical registers around justice and sustainability deriving both from academic disciplines and from broader publics and political discourses. The application-sign pairings proposed as signs of problematic ethics mobilize issues understood as being of public concern, such as the rights of minoritized groups or environmental sustainability, and use them to pass judgment on applications' ethical merits. As any ethical claim, they may succeed or fail as proposed interpretants, but in drawing on expansive registers of ethicality, they differ both from the subfield-specific ethics analyzed above in that they were shared across panelists from different disciplines, and from the relatively narrow research ethics defined in law and legal practice.

Institutionalized ethics at the boundaries

While the panel had been instructed not to discuss ethicality as defined in research ethics review processes, panelists nevertheless drew upon institutionalized research ethics to argue a point or to intervene in discussions. On such occasions, terminology, rules, and distinctions belonging to the legal realm seeped into the panel's discussions and contributed to the ways that research ethicality was discussed and valued in the panelists' work. Often, these discussions reflected elements of the applications that either went against local understandings of what the law required researchers to do or that troubled field-specific notions of ethicality. These moments often followed contentious discussions of which sign-sign translations were meaningful to the panelists' work. Below, we explore one episode with two examples in which conflicting ideas about what is ethical and in which context clashed in panelists' negotiations. The discussion, which produced a minor crisis in the panelists' work, revolved around questions of who may provide informed consent and the tensions and translations involved when materials and people move between academic and artistic settings – questions that the panel struggled to answer, and which required considerable negotiation.

The episode involves an application proposing a two-pronged project: first, data on companion animals, including audio and video material, would be collected as part of an interdisciplinary research program on non-verbal communication. The applicant proposed that they would join this interdisciplinary team and would use materials

collected in the research for exhibitions in art galleries or museums. When assessing the application, panelists agreed that it represented a promising, interesting, and overall solid project, but they struggled with the ethicality of it. During the first meeting in the funding cycle, where a preliminary ranking was made and a large portion of the applications culled, the chairperson handled disagreement on the issue of ethicality between the three panelists assessing the application by suggesting they move the application forward to the next meeting, as that would allow all panelists to review it. Rather than resolving the question, this merely postponed the crisis.

At the second meeting, the panelist who had been most critical of the application was the first to speak, and began the discussion by laying out the problems they were seeing:

It's artistic research in an entirely different area. We discussed the ethical problems before, there are also ethical questions around artistic research, it's the same as we discussed around [informed consent in] participatory art, but now you can't even ask those who are part of it. These creatures, do they want to be part of it?

When putting forth their apprehensions, the panelist reached for and combined institutionalized definitions of informed consent and the contentious issue of participants' consent in artistic work (both used creatively here, since the language of consent is rarely used to discuss research involving nonhuman animals) and used these to mobilize a set of propositions which they organized hierarchically as a stepwise chain of signs treated as constitutive of questionable ethicality. First, they relate the application to the broader question of how artistic researchers manage participants' consent at the interface between art and research. Having done this, they connect the still-open question about how consent is obtained and maintained in transitions between art and research to the question of participants who cannot consent themselves. This argument was not immediately resonant for all panelists, and as more panelists spoke, this division soon became apparent. The panelist who spoke immediately after the first, for example, did not mention ethics at all and focused instead on the benefits to artistic research of interdisciplinarity. The third speaker picked up on the comments by the first but disagreed, saying that "When it comes to the ethics, I think they have thought this through very well." A fourth panelist expressed some support for the critical position, saying

I would also turn [the first panelist's] critical questions around. How is this then presented, this disciplinary boundary between ethical and artistic concerns? They could have been much clearer as to what is there in the end. It really depends on what is visible when this becomes public, in this shift from one context to another. There could have been more development on what is going to be there.

The fourth and fifth panelists sided with those who did not see any ethical problems with the proposed research, saying that they found the application to be "really nice" and a kind of project that can only work, and be funded, in an artistic research context.

The sixth panelist said that while they found the application to be well written, they agreed with the first speaker and that they worried about what would happen “when it comes to the material spreading, it’s an open question on this otherwise excellent plan.” The seventh panelist then spoke passionately in defense of the application, saying that

There are two parts of the project; there is raw material that is protected for research, and the other where you use and edit the materials in an exhibition project. How exactly that will look we don’t know. But we have to trust that [the applicant] will work with the owners and that they take responsibility. You have to trust that the researcher has an ambitious and grounded ethical approach in relation to the project. I don’t feel so worried about that aspect.

At this point, all but one panelist had been granted a chance to contribute to the discussion, and the panel was approaching a point where they would have to decide whether the concerns about consent that critics were seeking to connect to the application would influence the proposal’s evaluation. Two potential interpretants were on the table. In the first, the applicant’s proposal to move data from a scientific context to an artistic setting, translating it from research data into art for exhibition, involved stretching the meaning of informed consent in ways that were highly problematic – especially in a situation where the materials would include depictions of beings unable to consent themselves. In the second, the proposed project and its experimental movement between settings did not involve any considerable ethical challenges. Before the panel was able to finish negotiating which of these interpretants would win out, however, an unexpected interruption occurred as the eighth panelist began to speak.

The applicant, Panelist 8 said, had copied aspects of Panelist 8’s own work without crediting them. Recognizing this, they continued, had made them quite upset. The funding agency staff spun into action and swiftly took Panelist 8 aside to investigate whether this constituted a conflict of interest on the panelist’s part. While they waited for this to be resolved, the remaining panelists continued animatedly discussing the ethics of conducting artistic research with participants who cannot consent. During the conversation, the chairperson joined in the discussion.

Chairperson: This is a classic question about documentary work. It’s also there with documenting children. The films from inside the Abu Ghraib, those that circulated, they were shown at the Berlin Biennale, and taken out, and it was a whole lot of protests.

Panelist 7: If we have this discussion then we have to have it for all the projects. We have to be consistent; it can’t be for just this work. If we can’t approve depictions of prisoners or animals or children, then we have to be consistent.

Chairperson: I don’t agree. It’s partly about what’s done. It’s not black and white. You take a picture out the window, that’s different.

Panelist 1: But what seems to be the most important question... if it was a research project, the data can be secured. If it’s sensitive, you only use it in the research

environment. But then when it's artistic research, you will also use it in artistic form in the art world. I'm not saying that we shouldn't fund it, but it's a totally different decision. We take a decision not just on the research but also on the artwork's ethical questions.

At this point, Panelist 8 re-entered the room, having been cleared of any conflict of interest, and the formal discussion resumed. However, due to the interruption and the added potential interpretant, the accusation of misconduct, the panelists struggled to pick up where they had left off. The first panelists to speak passionately argued that if what Panelist 8 said was true this was a very dire matter: "This is *theft*! This is for the university and the lawyers to deal with!" Another panelist disagreed, saying "This happens all the time. It's also a question of *fair use*." Suddenly, a discussion that had revolved around competing definitions of informed consent had been replaced by a messy tangle of questions that the panelists struggled to or outright refused to navigate. One panelist aligned themselves with the first and strongly argued that contrary to the second panelist's suggestion, the applicant's neglect to credit Panelist 8 was a matter of academic misconduct and added that the question was far too complicated for the panel to deal with. The administrators argued that the panelists should address the question, but only to the extent that the question was relevant for the evaluation of the application's quality and feasibility. That same panelist persisted in their critique, saying that they would stick to their initial assessment, made in preparation for the meeting, before Panelist 8's claim emerged. The chairperson responded by arguing that the panel could deal with this issue in the same way that they had dealt with other issues during the day:

As I understand it, if one of the applications has a theory that they say is their own and then [one of you] says, "No, wait, that's Foucault, that's not new, that's something they took, it's old things," then the quality is weak because of that. We can take this [the claim by Panelist 8 that they should have been cited in the application] in that way. We can take this on in this structure. That's how we should view this. Because your collective knowledge, that's why we're here, the function of the meeting.

Some panelists refused to acknowledge the chairperson's attempts to stake out a potential solution, instead continuing to argue that Panelist 8's accusation had made it impossible for the panel to make a fair assessment. From our position behind our notebooks and laptops, it was impossible to tell whether their use of signs such as theft and misconduct reflected that the panelists experienced the question as such, which some of their statements indicated, or whether they acted strategically to undermine interpretants that did not align with their view of the project. Regardless of their motives and experiences, what ended up happening was that a majority of panelists ended up sticking to their preliminary grades. None of the alternative interpretants introduced during the discussions were successful.

Of the discussions we observed those associated with this application were among the most lengthy and heated, and the issues raised may in another panel have been successfully anchored in and made resonant with powerful institutions of scientific research – legal, ethical-review, and GDPR issues around consent and confidentiality; longstanding scientific norms around citation practices and plagiarism. But those panelists who felt strongly that the application represented an unethical project, and who drew on these scientific norms, were not able to make arguments that the panel as a whole found meaningfully resonant. In artistic research in this national context, with its close relationship to artistic practice and uneasy relations to the practices and norms of scientific research, it is perhaps not surprising that assessments of ethicality rooted in scientific cultures and codified in legislation did not always resonate across the panel, while claims rooted more clearly in artistic work – subdisciplinary concerns and expansive ethical-political concerns drawing on shared theoretical resources – were easier for panelists to assess. In this panel's discussions, ethical research was neither defined or limited by the legal or bureaucratic context; rather, ethicality was a meaning made collectively by the panel for the purposes of evaluation, and was a meaning made consequential by the interactive, zero-sum, high-stakes environment. Legal ethics functioned as one register of ethicality among others to draw on in the accomplishment of ethicality at the panel.

Discussion

Research ethics is a practical accomplishment, in the sense that the ethicality of research is the outcome of interaction between actors in specific settings. It is not exhaustively defined by or restricted to legal or bureaucratic frameworks; deciding when research is ethical is a cultural activity, and studying this activity on the ground highlights the practical accomplishment of "ethical research." With our analysis, we suggest that a semiotic framework is useful for understanding how signs from different cultural registers – local subfield-specific norms, postcolonial theory, an ethics of care and other expansive registers, and laws, standards, and other institutionalized systems – play into the accomplishment of ethicality. Understanding the process of accomplishing ethical research is valuable in relation to the ongoing debate on research ethics, not least in the Swedish context where the institutions of science policy position critics of current Swedish research ethics legislation comparatively close to the making and execution of policy. Notable participants in the debate have been invited to large public events, policy settings, and funding agencies to make their claims (though this of course does not guarantee actual influence), and universities, learned societies, and lecturers' unions are duly consulted by the legislature. The implication of this is that the debate works on two registers – it is simultaneously scholarly debate and a stakeholder profession's policy development process. To avoid an analytical overemphasis on either the latter or the former as we attempt to collectively understand research ethics, we argue that empirical studies of how research ethics is accomplished in practice is imperative.

In line with other ethnographic studies of both funding panels and formal ethics review, our analysis shows that in settings where research projects are evaluated and decided, ethicality is the achieved outcome of cultural and social processes of negotiation, rather than a passive quality of the projects. We show how ethical concerns of different institutional levels play into the accomplishment of ethics, with the concerns of specific subfields, the shared expansive ethics of artistic research, and the cross-disciplinary legal ethics acting as cultural registers to draw on. Much of the debate on research ethics has focused on the legal framework specifically, both critiquing the current framework and suggesting how it should be changed to accommodate qualitative and interpretative research. We show that ethics negotiations draw on distinct registers of ethicality, which can be made variously relevant in the setting of evaluation, implying competing and coexisting understandings of which ethics are relevant to research when negotiating whether a proposed project is ethical. Actors engage in a form of practical protest against the idea of a singular legitimate framework, and that act of protest can influence that framework over time.

Legal understandings of research ethics here function among several registers that can be mobilized when deciding whether or not a given research project is ethical, together with the concerns of specific subdisciplines and the expansive ethics shared at the panel. The implication is that law is not simply a hard limit on researchers' activities; it is a cultural and discursive resource that is used generatively in negotiations of ethicality. Rather than merely restricting otherwise free research, the legal framework becomes an active participant in research evaluation and funding. This culturally productive role of legal ethics as one of multiple registers of ethicality has been largely neglected in the debate, where the law has instead been understood as rigid, insensitive and fundamentally different from the methodological or field-specific frameworks of the academic professions. The legal framework can, of course, be too rigid or insensitive to disciplinary difference regardless of its use as cultural resource, but highlighting the generative aspects of the framework serves to clarify both the imperative for reasonable lawmaking, and to deflate the distinction between legal ethics and other kinds of ethics (including the frameworks proposed by ethnographers and others). While the legal framework has far-reaching consequences compared with cultural registers used more idiosyncratically within one or a few disciplines, it nonetheless interacts with other modes of ethicality in the practical situations where it is applied.

In agreement with critics of contemporary legal systems for ethical review our findings have described an ethicality that lies beyond approaches to research ethics that treat legislation as an unquestionable monolith, or that treat the meanings of institutionalized research ethics as stable and settled. Subdiscipline-specific norms and expansive ethical-political registers are important cultural resources on which researchers draw as they negotiate what is and what is not ethical research. However, if such extra-legal ethics are to have bearing on research practices, they also need to be recognized institutionally as co-constitutive of ethical research. Because of this, we believe that there is merit to the critics' suggestions that the work of determining

the relevant framework for research ethics should, when possible, be delegated to the relevant research community. In contrast to some critics, however, we do not imagine that such local control will minimize friction. While the deliberations of this panel were characterized by a high degree of respect for ethics registers specific to a subfield, this may represent a particularity of this setting rather than something one could expect to find in similar sites; no singular subdiscipline of artistic research dominates the field, and the relative youth and perceived precarity of artistic research as a whole enable such mutual respect for local registers. As a general principle, however, we suggest that no register can convincingly outline a generally valid meaning of ethicality even locally; and any particular register of ethics is likely to face challenges similar to those faced by the legal framework when confronted with other ways of thinking about what is and what is not ethical research. Openness and pliability should therefore be key attributes of any discipline-centered ethics evaluation. Ethicality, as we have shown, is achieved in interaction and at specific sites, and alternative registers of ethicality can always be mobilized.

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