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Abstracts are listed in order according to the surnames of the authors:

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National Responsibilities to Citizens: Past or Present?

Throughout history many nations have neglected, mistreated, or intentionally harmed their own citizens. Many theorists claim that the nation, as a continuing entity over time, is complicit in these harms, and as such owes reparations. Often these claims for monetary compensation for the past compete with the needs of currently disadvantaged citizens. Looking at this from a Canadian perspective this paper examines the conflict that can surface when dealing with claims to apologize and compensate historically marginalized groups instead of currently marginalized groups, and how it further informs upon the possible rationale for an obligation to help in either case. This paper argues that the convincing elements of reparative justice claims can be more accurately assessed by distributive justice, and that this shows that although nations identify strongly with harms of the past they have a greater responsibility to those of the present.

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Rethinking family: marriage and amato-normativity

The ethical values of care and justice suggest the need to broaden our understanding of family. Despite changing demographics, law and society still often take monogamous marriage as the foundation of the family. Even when marriage includes same-sex couples, family status depends on a dyadic, exclusive partnership. However, restricting social recognition and legal status to such partnerships benefits romantic,

monogamous relationships at the expense of other caring relationships. I call the focus on marital and amorous love relationships as special sites of value ‘amato-normativity’ and argue that it wrongly devalues other instances of care.

Many people today reject the ideal of a central, exclusive relationship. “Quirkyalones” and “urban tribalists” argue that friends play the role in their lives that spouses or ‘life partners’ do for others – and that society fails to recognize the importance of such non-‘traditional’ relationships. Such ‘adult care networks’ are especially prevalent among unmarried urbanites, seniors, in the gay community, and in the U.S. African-American community.

Caring relationships are morally valuable, and this value should be recognized wherever it appears - in adult care networks as in marriages. But the social and legal recognition accorded to traditional marriage promotes it to the detriment of other caring relationships. This is a moral mistake with unjust consequences. The assumption that valuable relationships must be marriage-like results in injustice and harm to those in non-traditional relationships. Amato-normativity prompts the sacrifice of other relations to romantic love and marriage and relegates friendship and solitudinousness to cultural invisibility. Justice requires that the state frame a law of marriage (or personal relationships) more accommodating of diversity while also promoting the social rethinking of family to include adult care networks.

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The Ethical Considerations of Virtual Child Pornography

Recent innovations in technology such as photorealistic computer generated graphics, massive and near-anonymous online communities, along with the ubiquity of internet access have all contributed to the origin of a new type of pornography: virtual child pornography (VCP). As is often the case, the origination of a novel type of human interaction has brought along with it novel ethical issues. Is the production or viewing of virtual child porn, which involves no real children, ethically acceptable behavior? For example, if two adults create avatars with child-like appearances and perform sexual acts for the public in an adult-only location in Second Life, is this behavior deserving of moral approbation, disapprobation, or is it an amoral act? Is it as ethically abhorrent as the production or viewing of real-life child pornography? In this paper we explore the multifarious ethical issues that have arisen in the recent debates regarding VCP utilizing a virtue ethics framework. Some argue that VCP has a potential societal benefit; namely, that it offers an outlet for would-be pedophiles to enact their fantasies without actually harming actual children. Others argue that VCP merely satiates pedophiles until they find an actual victim; or worse, that it may serve to desensitize would-be-pedophiles to a point

that they commit the crimes in the non-virtual world. We analyze these arguments along with illustrating the Brave New World(s) of ethical questions that have arisen with the advent and combinations of these new technologies.

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Platonic Ideals and Two-Headed Calves: Intersex and Human Sexual Dimorphism

In 2002, Leonard Sax published a stinging reply to Anne Fausto-Sterling's characterization of male and female as extremes on a sexual continuum. Sax argued that "human sexuality is a dichotomy, not a continuum" (6). Whereas Fausto-Sterling uses "intersex" to refer to any "individual who deviates from the Platonic ideal of physical dimorphism at the chromosomal, genital, gonadal, or hormonal levels" (Blackless et al, 161), Sax objected that "deviation from the Platonic ideal" is not a clinically useful definition; instead, he offered as a "comprehensive, yet still clinically useful definition of intersex [...] those conditions in which (a) the phenotype is not classifiable as either male or female, or (b) chromosomal sex is inconsistent with phenotypic sex" (2). I challenge both Fausto-Sterling's and Sax's views, arguing that (1) the notion of a Platonic ideal of sexual dimorphism is indeed unhelpful, perhaps especially so to those said to deviate from the ideal and (2) intersex people are entitled to something better than a clinically useful definition of "intersex." Since clinical definitions are intended for the treatment of patients, a clinical definition of "intersex" is premised on the assumption that there is something wrong with being intersex and that this something wrong requires "correction". This assumption led to four generations of intersex people receiving painful, invasive, unnecessary surgery and related treatment. While intersex people are not "normal" in the sense of occupying the fattest portion of the sexual bell-curve, this does not entail, as Sax explicitly claims, that they are abnormal in the way that two-headed calves are. They might just be abnormal in the way that Olympic athletes are -- that is, abnormal in a way that isn't dictated by clinical usefulness. I conclude by sketching an alternative to Fausto-Sterling's and Sax's accounts.

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Agency and Wrongdoing in Sen's Capabilities Approach

In Amartya Sen's capabilities approach, well-being freedom focuses on the diverse beings and doings associated with well-being that people value or have reason to value, such as the capability to be educated. Agency freedom includes well-being goals

but is also the freedom to pursue goals people value that are contrary to well-being or are other regarding. This conception of freedom creates an evaluative space in human development that is inclusive of traditional indicators of development such as those based on utility, rights or economic status. In addition, agency freedom is highly participatory because it focuses on what people value, as opposed to what they ought to value.

Sabina Alkire is concerned with determining indicators of increased agency for the Oxford Poverty & Human Development Initiative. She interprets Sen's conception of agency freedom as the pursuit of goals one values and has reason to value. I would like to argue that if agency freedom is the ability to pursue that which someone values *and* has reason to value then Alkire's definition of agency is inconsistent with Sen's capabilities approach for the following three reasons (1) it lessens the impact of agency freedom by minimizing the distinction between well-being freedom and agency freedom; and (2) it maintains a moralized conception of agency freedom that excludes the freedom to act immorally; and thus (3) agency freedom will not be seen to expand where people use their greater freedom for wrong-doing. Although Alkire might want to restrict the freedom to act immorally, it should not be done through a moralized conception of agency freedom.

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Exploration of the Capabilities Approach and Its Accessibility

At the heart of many discussions in politics, legislation, and various public forums is the importance of having respect for an individual. This paper will be an analysis of Martha Nussbaum's *Women and Human Development* through a sympathetic exploration of the capabilities approach she proposes. The paper looks how the theory clearly respects individuals' beliefs when her aim is to argue for constitutional principles that all governments should have respect for the sake of their citizens, in order to successfully provide a valued concern for human dignity. It will investigate how the theory may go far beyond helping and into imposing change onto cultures that may not agree with her notions of the listed capabilities. This paper will first outline the normative universal theory she presents, then show examples of how the capabilities cannot *merely* be given to citizens, and then finally attempt to add the Aristotelian Principle as another element to her theory that may make her argument more robust, but contributes to and addresses human dignity in a richer sense.

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Freedom of the Will and Corporate Personhood

The notion of personhood is often associated with the ability to be responsible for one's choices when they are made from a position of having both a degree of rational capability and some kind of appropriate knowledge of the situation in which the choice is made. In Western law personhood has also been extended to certain collectives such as corporations formed for the purpose of doing some kind of business. Taking a cue from Harry Frankfurt's idea of second-order volitions as a criterion for full, responsible, personhood, I analyse a simple view of a corporation's structure and its decision-making process. I conclude that, under Frankfurt's criterion, such corporate entities do not meet the condition for responsible personhood.

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Capital Connections: Physical Metamorphosis and Our Modern Identity

We live in an age of profound and sometimes cataclysmic physical, visual, architectural, cultural, political, and economic changes, shaping not just our identity, but also our ability to understand who we are and what we are about. The very physical surroundings that at one time in our past defined our heritage, our origins, our perspectives and that reflected a greater connection to nature, to history, to a slower, more gradual unraveling of time and of the cycle of life and death are now ephemeral, fleeting, and often impersonal and artificial. They are the artifacts of modernity, of a mass society that has grown beyond itself and its own parameters, transcending the "rational" and indeed even reasonable limits prescribed by the sages of bygone eras, and in search of a synthetic environment that no longer serves our human, aesthetic, and ecological needs.

It is these dramatically changing surroundings of urban and environmental renewal and destruction, of economic overdevelopment and physical and architectural innovation and renovation gone awry, of electronic, cyberspatial and, in general, hyper-technological infrastructure permeating our daily institutional and personal lives, that

today not only overwhelm us totally, but also indelibly mark our identity and our understanding thereof. And it is precisely such deep-seated, universal and globalizing changes in our environment that have diluted, if not uprooted, our moorings and our links to traditional notions of land, homeland, and nation while cultivating a new breed of impersonal and self-interested capital connections. Only through a rigorous, critical analysis and understanding of, and engagement with, these salient changes in our physical surroundings can we begin to decipher, address and indeed resolve some of the major contradictions of our modern age.

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Outsourcing Clinical Trials: Exploitation or International Trade?

The outsourcing, by pharmaceutical companies, of clinical trials to developing nations represents a point of intersection between two sub-disciplines of Practical Ethics, namely Bioethics and Business Ethics. However it has received far more attention from scholars in the former field. The different conceptual 'lenses' implied by those two sub-disciplines may imply two very different conclusions about the ethics of outsourcing.

Three key ethical concerns have received scholarly attention with regard to outsourcing:

- 1) Will clinical trials carried out in developing nations be as well-run, with as careful oversight, as much methodological rigour, and as close attention to the well-being of human research subjects as trials carried out in the developed world would be?
- 2) Will individual human research subjects, because they are on average much poorer than research subjects recruited in developed nations, be more likely to be exploited?
- 3) Will citizens of the developing nation in which a trial is carried out be able to afford the treatment that – hopefully – results from the trial? Or will this be a case of drugs being tested on the poor, and then marketed to the rich?

In this presentation, I examine the difference that adopting a business ethics 'lens' makes in regards to these 3 concerns. Thus I explore Issue #1 as a special case of the more general question of the ethical constraints on multinational corporations in terms of adapting to local (typically lower) standards. With regard to Issue #2 (exploitation of individuals), I explore an analogy between clinical trials and sweatshop labour, and problematize the charge of exploitation. Finally, with regard to Issue #3 (international justice), I explore analogies with other kinds of international outsourcing, and ask

whether the outsourcing of clinical trials ought to be conceptualized, at least in part, as a form of mutually-beneficial international trade.

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Capital Connections: Whither the University and the Professor

Since its inception in medieval Europe, the university and the professor have gone hand-in-hand. The university not only provided the physical, but the intellectual, the social, and, up to the end of the 19th century, the spiritual environment in terms of which the professor (almost always male until several decades into the 20th century) understood who he/she was.

This capital connection between the university and the professor has been under siege since the early 1970's. Indeed, some have predicted that it will soon become obsolete, at least in the form that it was known through much of the 20th century. In the face of diminished government funding which has come, paradoxically, with higher demands from government of university accountability, particularly in terms of tailoring programmes to meet the demands of the marketplace, universities have redefined themselves from purveyors of knowledge to purveyors of information. As a result, the academic employee in the university—historically, the professor, whose mandate was to teach, engage in scholarship/research, and help with the administration of the university--has been downgraded increasingly to that of a “delivery person” (Donoghue, 2008) whose mandate is to deliver information to students, whether real or virtual, as quickly and efficiently as possible.

What is the future of the historical capital connection between the university and the professor? This paper will consider some of the main answers to this question and argue that the university of the future will feature a diminished role for the traditional professor but an enhanced role for the delivery person as both the university and society come to recognize the importance of the heir to the professor.

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A Motivational Problem for Moderate Proponents of Reproductive Human Cloning

Moderate defenders of reproductive human cloning claim that, in itself, this potential practice is morally neutral, and that we can rightly imagine some cases of it that would be morally permissible, and others that would be forbidden. On this basis, they suggest that, should human cloning become medically safe, we should allow it, but *only* under exceptional circumstances; for example, when prospective parents want to avoid transmitting a disease to their offspring without introducing the genes of a third party. This position may seem attractively diplomatic—open to the benefits of cloning, but cautious about it all the same. In this paper, I suggest that it is precisely this quality that makes the moderate view unstable. Specifically, I argue that it is difficult to motivate the policy proposal of moderates, given their view on the moral status of human cloning. The problem arises because moderates see reproductive human cloning as, in itself, morally neutral, just as they see in vitro fertilization, but they suggest the former should be allowed under fewer circumstances than the latter. Put another way, moderates judge cloning and in vitro fertilization to be morally equivalent—at least in the abstract—and yet they endorse different policies regarding them. Justifying disparate regulations between these forms of artificial reproduction requires demonstrating that there is a morally relevant difference between them. Moderates have not recognized or addressed this problem, so they have yet to offer one. In this paper, I consider a number of possible differences between cloning and in vitro fertilization, but argue that they turn out to be spurious, morally irrelevant, or incompatible with other aspects of moderate accounts. From this, I conclude that moderates must either revise their ethical assessment of reproductive human cloning or endorse the same set regulations for cloning and in vitro fertilization.

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Procedural and substantive ethics: a necessary albeit unhappy marriage

From the time of Socrates through Nietzsche, McIntyre and a host of others, ethics as grounded in some ultimate value or good, has faced a unrelenting barrage of criticism that has driven some of the best minds in ethics to abandon the idea that ethics can be grounded in some universal good or value. In its stead, a procedural approach is promoted, because, it is claimed, certain procedures can be recognized by any rational being as universally binding (e.g., negotiation procedures aimed at reaching mutually satisfying agreements).

For this paper, I will assume that the search for a universal good has indeed failed and that there are /prima /facie compelling reasons to accept the universalizability

criterion as one necessary for any ethic worth pursuing. Without satisfying the universality criterion, any ethic can be rejected or treated merely as a set of guidelines. My intent in this paper is to show that procedural ethics and, in particular Habermasian discourse ethics, presuppose substantive goods, however much they reject such goods. Utilizing Charles Taylor's critique of Habermas and his idea of hypergood, I argue that a universally an ultimate grounding for ethics in a substantive good is possible. Utilizing a Habermasian approach, I will argue that, where people engage in communicative actions to reach mutual

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The Time of Change: The Use of Human Subjects in Psychiatric Drug Research 1940-1970

Humans have been the subject of scientific research for hundreds of years. During this time, the ethics of research involving human subjects has evolved through the codes, statements, guidelines and the reflections of researchers, philosophers, lawyers and religious leaders. Over the last 40 years, research ethics and the governance of research practices has become well-established. Prior to this time, the Nuremberg Code (1949), the Declaration of Helsinki (1964) set out explicit principles to be followed in human subject research. However, the writings of Henry Beecher and others in the United States revealed that there was a great diversity of thought and practice among researchers as to what constituted the ethical and unethical use of human subjects. This situation was especially evident for those researchers who were instrumental in the development of drugs used in psychiatric treatment.

This paper is an introduction to the discourses on the ethics of research with human subjects primarily among researchers but includes discussions by others who wrote on the topic between 1940-1970. Their writings address issues such as the impact of the Nuremberg Code and Henry Beecher, the growth of the pharmaceutical companies, and their views on the ethics of the various aspects of their research practices. There were those researchers who strongly endorsed the need for adherence to practices, such as informed consent from research subjects. Other researchers expressed resistance to the increasing pressures to adhere to various tenets of research ethics as understood at that time.

Researchers who tested new drugs on humans with mental illness faced special challenges regarding issues such as therapy versus research, trial design, selection of subjects, informed consent and the assessment of risks, harms and benefits. This paper

contributes to an earlier and so far, not well-documented chapter in the history of research with human subjects.

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Is Kymlicka's Conception of Aboriginal Rights Liberalism's Last Stand?

The history of the different regard, treatment, opportunities, and such, experienced by Aboriginal and non-Aboriginal people in Canada meant quite different sorts of experience. And given how perspectives derive from experience, their experiences resulted in conflicting perspectives on the workings and fairness of the country in which they now struggle to live.

Will Kymlicka's conception of Aboriginal Rights has it as a practical imperative that Aboriginal Rights ought to be defended by appeal to a political morality with which non-Aboriginal Canadians can identify. But how is Kymlicka's imperative, which Dale Turner refers to as "Kymlicka's constraint," viewed from the perspective of Aboriginal people? Wouldn't the construing Aboriginal rights from a non-Aboriginal perspective end up exemplifying, reinforcing, or otherwise complicating the existing cross-purposes between Aboriginal and non-Aboriginal people? Indeed, according to many Aboriginal intellectuals, subsuming Aboriginal rights under liberalism is "no less questionable than earlier initiatives to impose religious conformity to Christian beliefs," as Menno Boldt and J. Anthony Long put it. Against Kymlicka, Turner argues that Aboriginal Rights must be articulated in a way that includes their original sovereignty which predates the existence of Canada. As such, he suggests that Kymlicka's conception of Aboriginal rights is liberalism's last stand.

Against Turner, I argue that the basic premises of Kymlicka's conception of Aboriginal rights do require that Aboriginal understandings of sovereignty figure in the defining of the constitutional rights of Aboriginal peoples, but it does not indicate the manner or means by which this is to be done. Turner, on the other hand, provides a framework by which to "weave indigenous thinking into Western philosophical thinking (or vice versa)" in terms of various roles for traditional and modern intellectuals, both Aboriginal and non-Aboriginal. In this way, I argue that the positions of Kymlicka and Turner are complimentary, rather than competing.

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Libertarian theory and global ethics

Jan Narveson, a leader among the current generation of libertarian anarcho-capitalist philosophers, presents the following thesis in an extended discussion of global ethics: “*The nearest thing we have to a rational morality for all has to be built on the interests of all, and they include substantial freedoms, but not substantial entitlements to others’ assistance.*” [1] I respond to Narveson, to Tibor Machan, and to their forebear, Milton Friedman, with an internal critique. I argue that familiar libertarian views identifying responsibility, and business responsibility in particular, should be reconsidered. My approach develops argument from Amartya Sen and Martha Nussbaum and re-conceives the key libertarian virtue of freedom in a manner that yields new and more extensive responsibilities without introducing objectionable egalitarianism and entitlement.

Narveson continues: “[*T*he situation of the world’s poor ... can be repaired by full and free trade relations with others. The true savior of the world’s poor is the businessman.” Though Narveson may identify one virtuous path out of poverty, his argument is lamentably weak in two respects. First, he has not done the empirical work necessary to show that the path he suggests addresses the most significant causes and key problems of poverty. Second, Narveson is probably wrong about these aspects of poverty, and about its connection to business activity, as these have been more carefully accounted for by economists such as Paul Collier. Alongside Collier, Sen is once again useful, providing an understanding of systemic problems that might be particularly helpful for improving libertarian views in this area of applied ethics.

[1] Narveson, Jan. “Welfare and wealth, poverty and justice in today’s world,” *The Journal of Ethics*, 8, 2004, 305-348.

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Feminism and Responsibility: A New Model for Thinking about Corporate Responsibility.

One challenge encountered by those engaged in discussions of corporate social responsibility is determining how we should understand the ontological reality of corporations. While legally, corporations are regarded as persons, this is often with an

understanding that this is a legal ‘fiction’ and is a pragmatic way of determining how to ascribe legal responsibility to an entity which is not a single person.

There is much debate about the proper way to couch the existence of corporations within the moral context. Some, such as George Sher, have argued that responsibility is an individual matter. Others such as Peter French and David Ozarj, have tried in various ways to establish corporations as having certain characteristics that enable the notion of responsibility to be applied to corporate acts.

In this paper, however, I will argue that both sides are mistaken and that an alternate approach to thinking about moral responsibility is necessary. I shall argue that understanding responsibility of corporations requires analysis of corporate activity from a perspective that integrates insights from feminist work on the social responsibility of groups for racism, sexism and other forms of oppression. Just as privileged groups can properly be ascribed responsibility for the oppression of groups, so too can corporations be understood to be morally responsible for the consequences of corporate behaviour

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The Moral Responsibility of the Individual in an Unjust State

Not too many Canadians likely believe that they are living in an unjust state ruled by an unjust sovereign in the form of their federal and provincial governments. I begin my paper by briefly summarizing a chain of reasoning to support the conclusion that, in a significant sense, Canada is an unjust state. I explore in the remainder of my paper what this justice judgment implies about the moral obligations of individual Canadians.

I first address the general question: As individuals living in an unjust state do we have obligations that we would not have if the state was just? I argue for an affirmative answer on the basis of the responsibilities attendant upon being a citizen in a liberal society.

In order to become clearer about the nature and scope of the special obligations of citizens in an unjust society, I address the following questions:

1. Are Canadians morally obliged to act in ways which ensure the federal and provincial governments stop violating and stop ignoring the inherent and treaty rights of Aboriginal peoples?
2. Are Canadians morally obliged to act in ways which ensure the federal and

provincial governments put in place the conditions necessary for Aboriginal peoples to exercise these rights?

As I argue that Canadians have both of these obligations, I demonstrate that the individual's special moral responsibilities in an unjust state are grounded in the fundamental justice principles of liberal theory.

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The ethics of research and undocumented migrants

Research on undocumented migrants raises serious ethical concerns that need to be considered by funding agencies, institutional and community research ethics boards as well as researchers. Undocumented migrants or persons without legal status are growing in number across Canada, especially in larger urban centres. It is estimated that half a million persons are living without legal status in Canada.

Valuable research is currently being done, exploring the experiences of persons living in Canada without legal status, examining reasons why persons are unable to immigrate through legal processes, the kinds of intricate “underground” social networks that exist to provide assistance, housing, access to medical care, and the psychological, social, and practical challenges these persons face in their daily lives. While these persons are considered to be vulnerable by virtue of their lack of legal status (and hence in need of protection), it is arguably important to allow research into their unique experiences.

Some of the ethical concerns that arise regarding such research are relatively obvious, arising due to the vulnerable status of these participants, e.g., researchers need to take extraordinary measures to protect the confidentiality of data as well as the identity of these participants.

Other ethical concerns, however, are less obvious. Indeed, concerns arise throughout the research process, from recruitment to dissemination of data. Moreover, these ethical concerns relate both directly to the individual participant as well as to the complex flourishing social networks upon which persons without legal status are highly dependent. Common practices, such as recruiting through word of mouth or through social networks, having participants sign consent forms, gathering demographic or

narrative data, and audiotaping interviews may not be possible or appropriate with this population.

This presentation explores the challenges such research presents, and proposes a set of 'best practices' for dealing with those challenges.