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Symposium: Protecting science and academic freedom from institutional review boards

Chair: Kurt Salzinger, Hofstra University At the APA symposium on IRBs (left to to right): John Mueller, John Furedy, Kurt Salzinger, Richard C. O'Brien. The title of this symposium undoubtedly tells a lot about the tenor of the papers that were presented at the last APA convention to a very large audience of 60 interested psychologists. A quick show of hands found many of them were members of Institutional Review Boards (IRB's). Kurt Salzinger introduced the symposium by quoting the oft-heard maxim that "the road to hell is paved with good intentions." IRB's seem a prime example of this maxim.

The first speaker was Harold Takooshian of Fordham University, who discussed: "IRB's: An impressive solution to a non-problem." Maintaining that at best IRB's are "well intentioned specialists in ethics and methodology" who can help the researcher do his or her work in an ethical manner; he also maintained, however, that "at worst, panels of nonexperts with dubious motives" who can delay or even prevent good work from taking place. He drew on his own years of experience with IRB's (as a researcher, IRB member and chair), as well as on the experiences of others to conclude that the current "best practices" approach is truly inadequate; researchers today require a "bill of rights" to protect them from both politically correct language and "abusive" IRB's.

The second speaker, John Mueller of the University of Calgary presented a paper titled: "Best practices: What perspective, what evidence?" Dr. Mueller applied the criteria for assessing an article for publication to determine the worth of an IRB. Essentially, Dr. Mueller found no data to support the work of IRB's; he found no evidence of need or of benefit; furthermore, he pointed out that changes to what IRB's are doing have been small each time they have been instituted but over time and collectively they have been large in effect in interfering with research.

The third speaker, Richard M. O'Brien of Hofstra University presented a paper titled: "Galileo 1 - - Pope Urban 0: How we learned to limit our IRB." This author who has worked as a member of the local IRB for many years was able to limit the arbitrary power of the IRB by forcing the administration to accommodate IRB practices to the AAUP Collective Bargaining Agreement. Although federally funded research had to follow federal guidelines,

requiring unfunded research to be approved by the administration was viewed as a violation of the academic freedom guarantees of the faculty union contract. In effect, this accommodation provided the faculty with an appeals process for unreasonable IRB decisions through the contract grievance procedures. The author recommended that other university faculties employ the same or similar means to contain the research-unfriendly activities of IRB's.

The fourth speaker, John J. Furedy of the University of Toronto presented a paper titled: "Taxonomic chaos in the Canadian Bioethics industry: *Après moi la deluge.*" Tracing a 10-year history in Canada of "raising ethical standards in research," this author pointed to such research-interfering ideas coming out of their considerations as allowing subjects to withdraw the data collected by experimenting with them, based on their dislike of the investigator's hypotheses. He also called attention to the fact that while senior researchers might have some chance of battling the unreasonable demands of IRB's, younger researchers are at a distinct disadvantage in disagreeing with IRB's with the consequence that future research might suffer even more than the research planned currently.

The discussant, Kurt Salzinger of Hofstra University, described what he called a series of complexities that must be considered in judging whether the IRB's are doing the job they are supposed to be doing, namely of protecting the subjects that are studied. After reviewing all of the complexities, the author came to the conclusion that the best solution to making certain that no harm comes to subjects in experiments, particularly in social and behavioral experiments, is to use the same protective strictures as are employed for the professions. Thus lawyers, psychotherapists, physicians, accountants, masseurs, police officers, and fire fighters, etc. all are required to behave in an ethical manner without having to first submit their planned activities to a board of experts and nonexperts that determines whether that planned procedure is ethical. Unethical behavior is dealt with if it occurs rather than in anticipation of it occurring. Those interested in IRB's and academic freedom can learn more about the Society for Academic Freedom and Scholarship by checking its website, www.safs.ca.

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