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Ethical and Social Challenges in Research with Children Exposed to Forced Labour, Exploitation and Trafficking

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Abstract. This article explores the ethical and social challenges in research with children exposed to forced labour, exploitation, and trafficking. It examines whether the participation of children in evidence generation has the potential to affect them and how the researcher avoids potential discomfort. This requires investigating the multiple issues and contexts that affect the children. Essentially, conducting a child-centred evidence generation is ethically reasonable based on how such investigation is carried out and on how a child is affected by the research activities. The process of recruiting participants, avoiding potential harm, ensuring privacy, anonymity and confidentiality corresponds to the best possible regulation, in full respect of the interests of children. What is pursued is a child-centred evidence generation, capable of responding in an acceptable way, from an ethical point of view to the question about the methodology of the research itself. In addition, child-centred research enhances the sharing of perspectives and insights, which break down the barriers of exclusion. Against this background, this article contributes to the identification, interpretation, and clarification of ethical and social questions that arise in relation to child-centred evidence generation. Similarly, it furthers awareness on the significance of ethical reflection and in making informed decisions and choices to mitigate against potential harm to participants during and after the research.

Keywords. Child-Centred Research, Deontology, Ethical Issues, Research Methods.

1. Introduction

For a long time, the life and experiences of children had been explored mostly through the eyes and words of adults and thus they were marginalized in child-centred evidence generation (Punch, 2002). The experiences, perceptions, and insights of children were deemed unreliable as it was thought that they did not have the skills to understand their world (Mahon, Glendinning, Clarke, Craig, 1996). Children were also considered suggestible and unable to distinguish between truth and fantasy (Morrow, Richards, 1996). This view of children was supported by what has been called the development model, which is the idea that children are not fully accomplished individuals (Bessell, 2006). This developmental process will lead them to fully realize their potential. In addition, children were considered immature and unable to make a direct contribution to the understanding of their experiences (Allison, 1999). The affirmation of the rights of children comes with greater sensitivity and concern in unpacking potential ethical issues in evidence generation involving children in the best interests of the child (United Nations (UN) General Assembly, 1989). The UN Convention on the Rights of the Child (CRC) gives children the right to have their best interests evaluated and considered in all actions and decisions that affect them (UN General Assembly, 1989).

The CRC calls on signatory states to adopt legislative, social, and administrative measures to protect children against all forms of violence, mistreatment, and exploitation, including trafficking (Ibid). A report by the International Organization for Migration (IOM) and the UN Children's Fund (UNICEF) shows that three quarters of migrant and refugee children trying to reach Europe are susceptible to human rights violations including forced labour, exploitation, and trafficking (IOM, UNICEF, 2017). Despite the many characterizations that have been given or continue to be described, trafficking in human beings is configured as a very serious and intolerable violation of international law in the sphere of human rights as it contains and defines a series of exploitation practices (Ibid). The main purpose of child traffickers is to produce illicit gains for the benefit of the exploiters (Ibid). In light of this, the UN Sustainable Development Goal indicators 5.2, 8.7, and 16.2 underscores the need to eradicate human trafficking in all its forms (UN Statistics Division, 2021). Similarly, the 10th objective of the Global Compact for Safe, Orderly, and Regular Migration (GCM) also accentuates strengthening measures to prevent and counter trafficking in persons in international migration (IOM, 2021). Available data from the UN Office on Drugs and Crime (UNODC), Counter Trafficking Data Collaborative (CTDC), and scholarly works show that child trafficking, exploitation, and forced labour has a higher rate in Sub-Saharan Africa (Bass, 2004; IOM, 2018; Weston, 2005). Adversely, these children may also be more challenging to reach. Therefore, without measured procedures and reflection, the children are more likely to be marginalized in child-centred evidence generation activities. In these circumstances, a child-centred evidence generation remains indispensable to counteract this phenomenon as well as the ethical imperative of the protection of human dignity and the rights of the personality.

Moreover, research with children exposed to forced labour, exploitation, and trafficking raises not only ethical issues, but also demands consultation, planning, and methods of addressing challenges in data collection and analysis processes (IOM, 2018). The diverging ethical constraints in this child-centred investigation revolve around issues such as: Whether it is ethically reasonable to conduct child-centred evidence generation and its implications. In addition, how much freedom of decision will the participants have in the investigation process? What are the limits to which children can be involved in the research activities? Is it right to involve children in evidence generation without safeguarding that the participants are not deceived about the investigation and its purpose? How does the researcher ensure that there is no prospect of any harm coming to the participants? And how does the research divulge information so that participants understand the essence of participation? Indeed, the focus on these challenges does not dissipate ethical concerns that may arise in the evidence generation activities, but it contributes to deconstruct the environment in which children may be inserted in the investigation process. Here, children are described as active subjects who have their own perception of the world and can express preferences and make informed choices. Hence, the social world of the participants seen from the perspective of children becomes not only the subject of research, but the imperative of upholding the rights of the informants.

On the other hand, children are vulnerable and in need of protection (Diener, Crandall, 1978; UN General Assembly, 1989). Yet, they have the right to impart information and ideas of all kinds and should benefit from the outcomes of evidence generation (Ibid). Therefore, opposing child-centred evidence generation would mean denying the children the opportunity of being heard. From this perspective, it is necessary to reflect and incorporate ethical principles in research involving children. However, it is not the aim of this article to resolve all the ethical issues and dilemmas in child-centred evidence generation because they are not readily capable of resolution (Bryman, 2016). The objective is to contribute to the ethical discourse so that researchers and the society as a whole safeguards the child's rights to live a life without abuse and exploitation in all its forms. Fundamentally, through interrogating ethical principles and dilemmas in research with children, may researchers be well informed to uphold the rights of those involved as well as adopt special measures to limit potential harm. The structural method applied in this article is based on the aggregation of various areas of thought, ideas, and knowledge. It employs scholarly works to define the ethical and social challenges in research with children exposed to forced labour, exploitation, and trafficking. The theoretical framework is grounded on Kantian deontological ethics, which is briefly addressed in the next section. Next, section three discusses the ethical concerns and dilemmas that might arise in child-centred evidence generation before concluding.

2. Kantian Deontological Ethics

As opposed to consequentialist notions of ethics that envisages the greatest good for the greatest number, here, research ethics reflects a central principle of Kantian deontological ethics where respect and concern for the ‘other’ is fundamental (Meerbote, 2001). This moral-practical premise of Kant provides people with formulations of what they should do and with what motivation they ought to do. For Kant human actions must be guided by reason because it furnishes people with what they should do to bring about that intended end. Hence, reason motivated by duty is regulative of our methods and procedures to act in accordance with our categorial requirements. Kant holds that people embrace maxims for action on the power of reflection regarding their interests. The imperative or practical law that guides such action is firmly objective and conditioned by the universal or moral law. Along these lines, pure practical reason substantiates and stimulates some actions in a priori and objective manner (Ibid).

Kant believes that there are categorical imperatives, which are necessary principles of reason that call upon people to perform certain actions. These categorical imperatives express what a person ought to do unconditionally (Ibid: 346). In essence, the categorical imperative illustrates a duty that a person has irrespective of the person’s will or desire. Therefore, moral duties of people can be derived from the categorical imperative. Given that, the moral law is a foundation, the categorical imperative becomes its establishment, not being subject to an explanation external to its formality. Here, a conceptual element of the categorical imperative is theoretical knowledge independent of action and desire. Furthermore, the categorical imperative demonstrates the absolute practical or moral law and can be formulated in three ways. The first formulation requires a person “to act only in accordance with that maxim through which you can at the same time will that it become a universal law” (Ibid: 347). Here, a maxim is a subjective or internal imperative for what action to take in a set of situations. The second construction states that ‘‘act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means’’ (Ibid: 348). Subsequently, the third formulation implores a person “to act as if the maxim of your action through your desire will legislate the moral law” (Ibid: 347).

In this context, the first formulation of the categorical imperative illustrates the conception of universal laws of nature and the natural order where a person considers the maxim of its action to be strictly universal. This, being the subjective principle of action, needs the objective inclination of action, thus, the universal law to be called moral. The axis of the categorical imperative is the equation that each human subject can and must perform between the awareness of objective universal principles and the person’s internal maxim. It is a possibility that, regardless of subjective conditions, the subject can perform a moral action, thus, a foundation of how moral action takes place. Additionally, the second construction, which is Kant’s humanity formulation, emphasizes that people ought to treat human beings as ends in themselves, thereby acting out of respect for the inherent dignity of persons. This is particularly relevant in research with children exposed to forced labour, exploitation, and trafficking who are in a circuit of violence, blackmail and abuse that must be broken. A particularly alarming and little considered element concerns women victims of trafficking and sexual exploitation with minor children, also in the hands of exploiters and traffickers (IOM, 2018). The third formulation, literally Kant's autonomy principle, highlights a person's desire to envision itself as constructing a universal law. Desiring that a maxim become universal is interpreted here as enacting the moral law, in principle, becoming a legislator (Meerbote, 2001).

As specified, ethical conduct in child-centred evidence generation is here approached from the context of deontological ethics. A deontologist may claim that there are right and wrong decisions up front in research with children, whatever the consequences. From this standpoint, it is never right to expose a child to potential risk, even if the consequence is an increased benefit for the child and the society in general. Hence, this article is guided by the Kantian deontological ethics, in particular the 'humanity' formulation, which envisages that people must be treated as an end in themselves and not merely as a means to an end (Ibid). Thus, the means-based norms and obligations must be fulfilled to achieve the research objective and not the output. While consequentialism attempts to project the effects of actions, this article is rooted in the ends and basically avoids output-based rationalizations. The next section thus discusses these ethical issues and concerns in child-centred evidence generation.

3. Ethical and Social Challenges in Research with Children

The ethical and social concerns in research involving children exposed to forced labour, exploitation and trafficking revolve around issues such as voluntary participation based on revocable informed consent; avoiding harm to the participants'; respecting participants' right to privacy; and ensuring anonymity and confidentiality.

3.1. The Issue of Informed Consent

Social research and the knowledge that it produces demand respect for ethical principles. Unethical conduct has no place in research and must be avoided (Bryman, 2016). A fundamental requirement of social research is the free consent of informants to participate in evidence generation after sufficient information (Shamoo, Resnik, 2009). The right to self-determination of individuals motivates informed consent (Naughton, Rolfe, Blatchford, 2001). However, how does the researcher offer a clear consent process that allows the participant to make informed decision about participation? And how does the researcher ensure that the children can withdraw their consent without negative consequences? These issues can be approached from three perspectives. Firstly, the participants must receive and understand the real information about the investigation. Secondly, consideration should be made that consent is given voluntarily. Thirdly, the researcher must reflect on the ability of the participants to give consent (Mahon et al., 1996). As children do not generally possess the legal competence to consent, their parents or guardians must grant consent, and the participant then agrees or refuses to participate (Allison, 1999). Therefore, much information should be given to the participants irrespective of whether they will participate or not (Ibid).

In other respects, a child-centred evidence generation presents tension associated with the creation by the researcher of an unnatural situation that from a Kantian ethical perspective might suggest using people as means to achieve one's own ends (Meerbote, 2001). Thus, the researcher must limit harm and bring to the attention of the participants the nature and purpose of the research; the methods of data collection; the use of data by the researcher; and to whom and how the findings would be disseminated. Equally, the use of communication devices such as recordings in data gathering should be clearly communicated to the participants for an informed decision. Furthermore, my research experience has allowed me to understand that it is not always the amount of real information offered, but the best way of transmitting it to achieve understanding (Agyare, 2020, 2021).

The real information must be drawn up in a clear and concise manner that is understandable to the participants (Ibid). Sometimes, the use of images, illustrations, or comics are indispensable to communicate real information. Similarly, research questions must be appropriately sensitive to the participants age and context (Resnik et al., 2010). Conversely, how can these elements be respected when the subjects involved in the research are children? This entails a profound reflection on the ability of participants to understand the real information; what the investigation is about; a thorough weighing of benefits; harm; and confidentiality of participants (Harcourt, Conroy, 2005). This necessitates acts of honesty, objectivity, carefulness, and openness, which contemplates that both the research process and the results incorporate positive ethical conduct (Resnik et al., 2010). Likewise, consent should be commensurate with maturity (Alderson, 1998). Participants capable of understanding and expressing informed decision must be involved in the research activities. However, this aspect must be assessed on a case-by-case basis (Ibid).

Moreover, the child is a subject of rights and their participation in evidence generation is essential and useful. In contrast, the vulnerability that usually characterizes children might make them expect from the researcher a candid solution to their problems (Morrow, Richards, 1996). This could generate false hope that can be detrimental to the participants when their ambitions are not met. One of these possible effects may be the refusal of some of the children to participate in a future research from which they have no direct benefit. This triggers the question of the social impact of evidence generation, which beyond being a challenge of effectiveness can also be a dilemma of reciprocity in obtaining benefits (Resnik et al., 2010). Hence, it is vital to avoid the creation of false expectations about potential benefits and burdens in participation. These issues do not invalidate the principle of informed consent as a procedure. In any case, they raise questions regarding their format, substantive issues and form that may make their applicability challenging (Naughton et al., 2001).

3.2. Addressing the Concern of Benefit and Harm in Research involving Children

The principle of the best interests of the child requires an appropriate evaluation of matters that concern children (UN General Assembly, 1989). In Kantian deontological terms, the principal interests of the child must be the motivation of ethical considerations, not the output. This necessitates planning and appropriate strategies to mitigate against potential harm in the evidence generation (Morrow, Richards, 1996). Social research ethics articulates social responsibility of the researcher towards the participants, the profession, and the society in general (Resnik et al., 2010). This responsibility means avoiding harm to the people who participate in the evidence generation. This measure is essential to allow the participants to make a free and enlightened choice regarding their participation. As Diener and Crandall (1978) suggest, harm to the participants can entail several facets. Firstly, physical harm as a direct consequence of participation in the investigation. Secondly, retaliation, or punishment inflicted by others to the informants because of their participation in the evidence generation. Thirdly, stress, loss of self-esteem, or inducing the respondents to perform reprehensible acts (Ibid).

Harm can also occur through disclosure to the community of stigmatizing information about the participants because of their participation in the investigation (Ibid). This situation raises the need for ethical weighing of benefits and harm, as well as proper approaches in data collection, analysis, and communication in the evidence generation. Additionally, consultation with parents, guardians, and stakeholders remain indispensable to achieve the best for the respondents. Although the possibilities of causing physical harm are less likely in social research, they can however be intrusive and may cause high levels of stress and frustration to the informants (Weston, 2005). The damage can lead to internalized trauma and other negative impacts to the children (Ibid). Avoiding harm also entails eschewing tools that may not be accessible to disadvantaged participants (Erikson, 1967). Considering that, such methods may result in poor representation and further marginalize the children (Ibid). Hence, special measures should be adopted by the researcher to ensure equal representation and de-identify data to limit potential harm to the participants.

As earlier observed, the participation of children in the evidence generation should be thought of in relation to the age of the respondents. This is because a 6-year-old child has different skills and interests from that of a 12-year-old. Accordingly, a critical evaluation of the 'if' and 'how' to involve children in the different phases of the research is vital. In addition, children may be unfairly affected by overexposure in evidence generation if it is replicated or expanded to include other participants' (Diener, Crandall, 1978: 21). This situation can have particularly negative repercussions on the informants. Furthermore, harm may occur when the children's voices are sought only to match the interests of the investigation. In view of this, differences between the perspectives of the children and the research objectives must be communicated in a transparent and fair way. It is equally important to recognize the power differences inherent in adults and children's relationships. As stressed, the best interests of the child must be the basis of any protection and social intervention aimed at satisfying the special needs of the child in all circumstances (UN General Assembly, 1989).

From this perspective, the interests and the special situation of the children should be safeguarded in the evidence generation activities. Thus, respecting the insights, experiences, and perspectives of participants may aid in obtaining positive outcomes. Accordingly, it remains paramount to pursue ethically appropriate methods of evidence generation that does not infringe on child values and sensibilities (Naughton et al., 2001). As Erikson (1967: 369) underlined, infringing on the rights of children in evidence generation is liable to damage the reputation of researchers as well as close off promising areas of evidence generation. It is equally important to ensure that the results of the investigation are communicated accurately and not distort the children's experiences and circumstances. This is because the representation of children and their points of view can be ethical and appropriate, or on the contrary, may be biased, unrealistic, or potentially harmful (Erikson, 1967; Naughton et al., 2001). Child-centred evidence generation should be primarily designed and focused on the research aims and objectives to minimize potential harm to participants. Hence, proper ethical conduct in the investigation is an imperative to uphold and protect the interests and rights of participants.

3.3. Protecting the Child's Right to Privacy

The right to privacy, which represents one of the forms of expression of the personality, is used here to indicate the right to maintain control over one's information and private life (UN General Assembly, 1989). This right guarantees that the personal data of people should not be disclosed or given to third parties without their authorization. Protecting participants' right to privacy has the purpose of ensuring that the use of personal data, especially sensitive data in evidence generation, is carried out in full compliance with the rights of the person. Thus, personal data must be treated in observance with the research purpose and rules established by law. The need to protect the private sphere of the person is that the violation of the intimate sphere of the person increases with the technological progress of information tools. Providing children with spaces of privacy in evidence generation is not only important to help them develop responsibility for themselves but it is a fundamental right of individuals, linked to the protection of human dignity. Article 16 of the CRC stipulates that no child may be subjected to arbitrary interference in the private life, family, or correspondence (Ibid). The CRC further underscores the importance of respecting the information that the children wish to disclose and the ones that they want to keep private. Thus, the researcher is ethically obliged to treat participants' information in accordance with ethical principles in evidence generation to preserve the privacy of those involved. Respect for the participants' right to privacy also requires respect for their right to self-determination, as well as their general welfare (Shamoo, Resnik, 2009). Respect for privacy thus reflects Kantian deontological thought because it promotes dignity and protects against "unjustified scorn, humiliation, and recrimination" (Allen, 2013: 845). In addition, the participants have the right to privacy of their data, thoughts, opinions, personal communication, and the places they occupy. Similarly, they have the right to know how data will be collected, analysed, and to whom it will be communicated. Therefore, they have the right to be free from an invasion of privacy. In this respect, how do the researcher manage participants' data to preserve privacy? Here, it is vital to be acquainted with the formal legislation relating to data protection, as well as to modify information containing potentially identifiable materials of participants in all stages of the research.

Therefore, the processing of sensitive personal data, suitable for detecting informants racial or ethnic origin, religious, philosophical beliefs, political opinions, membership of parties, associations or organizations should be limited (Ibid). Thus, the management of participants' data should comply with the principles of lawfulness, limitation of conservation, integrity, and confidentiality (Shamoo, Resnik, 2009). These must be embraced in the research activities to guarantee a level of safety appropriate to potential risk. By this token, it is prudent to ensure that the personal and sensitive data collected as part of evidence generation activities are anonymized in accordance with the provisions of the laws in force. These provisions also concern the collection, processing, and analysis of data, as well as the conservation, dissemination, and deletion of identifiable materials (Ibid). The processing of sensitive data inevitably translates into the possibility of reconstructing part of participants' lives. If such data are not used for deserving purposes by the researcher, their use can be harmful to the proper development of the human personality, and even more important when informants are children. Hence, the researcher is mandated to protect sensitive data and identification codes and comply with ethical principles that inspire social research. In this regard, there is a commitment to protect the privacy of participants from any loss or unauthorized disclosure and access of sensitive information. This is vital because any breach of privacy may result in the disclosure, theft, or use of participants' information by third persons, which may endanger respondents.

Furthermore, the research objective must not override respect for human dignity, fundamental rights and freedoms, in the awareness that the interests and well-being of the children must prevail over the exclusive interest of science and society. In Kantian deontological propositions, human persons have dignity, not a price, and cannot be treated instrumentally (Meerbote, 2001). On this premise, it remains significant to specify to what extent and in what way the privacy of participants could be protected. Thus, the researcher must clearly communicate data that will eventually be analysed, disclosed, or kept confidential with respondents and obtain their explicit consent. Likewise, safeguarding participants' privacy further requires protecting their sensitive data against indirect or unintentional revelations caused by accidental groupings or associations of information. Hence, all documents and materials that may identify participants' must be kept encrypted and its access controlled against any breach of privacy. Unless the participants have explicitly consented, data should only be used for the intended purpose of consent.

3.4. Ensuring Anonymity and Confidentiality of Informants

The principles of anonymity and confidentiality are here considered as 'categorical imperatives' in the Kantian deontological sense because it directs the researcher to make particular choices in view of certain specific objectives (Meerbote, 2001). Grounded on the notion of respect for individual autonomy, the principle of confidentiality entails not disclosing personal information provided by participants (Alderson, 1998). However, there is an ethical dilemma to disclose information if informants in the investigation report being at risk of harm to themselves or others. Thus, ensuring anonymity and confidentiality requires different techniques depending on the evidence generation strategy (Shamoo, Resnik, 2009). This includes as earlier indicated the anonymization of data, the protection of field notes and audio recordings, as well as the use of special techniques to encrypt the information given. From this perspective, data that can identify participants such as notes, or an audio recording must be handled in accordance with applicable rules in the prime interests of the children. This also includes altering the area in which participants live and other details such as place of employment. Furthermore, the researcher has an enormous ethical task to ensure that informants are not traumatized or suffer personal or psychological problems due to participation in the evidence generation activities (Bryman, 2016; Shamoo, Resnik, 2009).

Moreover, any misuse of participants' data is simply unethical and wrongful behaviour that must be avoided (Shamoo, Resnik, 2009). As noted, disclosure of sensitive information and details of participants' sensitive data could expose them to potential harm. Nevertheless, strict adherence to anonymity would force the elimination of direct references from data that allow the voices of participants to be heard. Consequently, their elimination could call into question the validity of the investigation as it becomes impossible for third parties to examine the relationship between data and interpretation. However, as Peirce (1958) points out, the opinion which would finally result from the investigation does not depend on how anybody may think. This task can be fully grasped and accepted by a thought willing to allow itself to be challenged and provoked in the research activities rather than remaining entrenched in the stability of traditional concepts. Hence, the researcher is required to respect the confidentiality, security, and private life of participants and particularly safeguard that they are not identified.

Furthermore, it must be emphasized that confidentiality further requires careful reflection on various aspects, such as the environment and methods of data gathering (Alderson, 1998). The environment and methods used to gather data influences the confidentiality of information. The participants should be able to speak in an environment that eschews fear, uneasiness, and coercion. Equally, sensitive topics can produce social desirability biases and therefore require collecting data that are relevant to the research aims and objectives (Resnik et al., 2010). Consideration should also be given to the transportation, storage, and disposal of information, considering the different data formats in evidence generation (Shamoo, Resnik, 2009). Ensuring confidentiality also means ensuring data ownership (Alderson, 1998). Thus, it is assumed that the collected data correspond to the private sphere of the informants. To this end, explicit permission from participants should be obtained for data dissemination and access in the sphere of the public. Hence, the need for informed consent remains indispensable in all stages of the evidence generation and a reflection of ethical principles in a criterion of fairness.

4. Conclusions

This article shows that awareness of ethical principles in child-centred evidence generation is an important aspect in scientific research. This requires a thorough reflection about ethical issues as well as consultation and strategies for data collection, analysis, and dissemination. It is through the researcher's awareness of the ethical implications that informed decisions and choices can be made about the investigation. Respect for the dignity, well-being, and rights of all children in evidence generation, regardless of the sector, location, or methodological orientation are also human rights and therefore give the right to consent and information. The researcher is responsible for safeguarding voluntary participation and the communication of real information to participants. This also involves the ethical weighing of benefits, harm, and confidentiality of respondents. Hence, this article has uncovered that the participation of children in evidence generation remains vital to make explicit, tacit knowledge of those involved and the conditions to which they are especially susceptible. Nevertheless, the involvement of children in evidence generation comes with questioning as to whether they can understand the context of their decisions and potential implications. In contrast, child-centred evidence generation is key to understanding the phenomenon. Hence subjective interactions are essential to address them. The researcher is responsible to adapt special measures in order to counter potential harm to participants. Thus, negative outcomes could be minimized and suppressed when ethical issues are carefully reflected in the evidence generation activities.

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