The Folklore Society

Ethical guidelines for collecting, archiving and sharing folklore material

Folklore collection originally developed and flourished at a time when research ethics, and questions about intellectual property, were given little thought. Contemporary expectations demand that folklorists (and other researchers) pay attention to such matters.

With this in mind, the Folklore Society suggests the following guidelines for good practice. We offer these as guiding principles: the Society has no authority to enforce them, and nor can we anticipate the complexities of every individual field-research context. What follows has informed the practice of responsible folklore researchers for decades. It represents, therefore, a shift from implicit ethics to an explicit set of principles.

These principles apply with greatest urgency to the collection of primary, i.e. hitherto unpublished, material, whether from human subjects or archival sources. For our purposes, folklore is defined broadly as vernacular knowledge and practices, including (but not confined to) ballads, folktales, fairy tales, myths, legends, 'traditional' song and dance, folk plays, games, seasonal events, calendar customs, rituals, childlore and children's folklore, folk arts and crafts, popular belief, folk religion, material culture, vernacular language, sayings, proverbs and nursery rhymes, folk medicine, plantlore, and weather lore.

These guidelines have been formulated with independent researchers and researchers who are not employed in higher education institutions or research organisations in mind. Members who are employed, or otherwise attached to, higher education institutions or research organisations will be subject to their research ethics policies, which necessarily take precedence over what follows.

Transparency

This is perhaps the most important principle, from which much else follows. Openness and honesty, with one's informants, one's potential readers and oneself, is at the heart of defensible research. Those people from whom you collect material should understand what you intend to do with it; this should form part of an agreement between all parties, which should ideally be recorded, whether in writing or otherwise. Anyone reading your research should understand how and where your material was collected, under what circumstances, and under what conditions. This applies equally to the use of published sources.

Consent

As has been mentioned, agreement and reciprocity between all parties is important. This is the general principle of informed consent. Observational research in a public place cannot include informed consent from all participants, however, not least because seeking consent in such circumstance can be impractical. It is still, however, a good idea to liaise with the organisers of an event and at the very least seek consent from them to observe/record it, and to be sensitive to those participants who do not wish to be recorded. Children and young people, and vulnerable adults, are special cases, of which more below.

Intellectual property

This is not the place to attempt to answer properly the awkward question of who owns folklore. However, it is a question that should be at the forefront of any folklorist's mind when dealing with primary material. Archival matter generally *does* belong to someone, and this should be recognised. The ownership of oral material can be problematic, but the sensitivities of informants must be respected and, as part of the process of ensuring informed consent (see above), ownership should be acknowledged wherever it can be ascertained. Where it cannot, this should also be acknowledged.

General information about intellectual property and copyright in the UK can be found here: https://www.gov.uk/government/organisations/intellectual-property-office

Informant rights

Informants have rights codified in human rights and data protection legislation, as well as those more informally encoded in social expectations about respect, dignity and honesty. Researchers must be cognisant of statutory rights, in particular about data protection, and the impacts that these have on rights to anonymity, privacy, and removal from a research dataset. This should be part of any discussion with informants that forms the basis for consent. Anonymity should not be assumed to be, in all cases, the most ethical choice.

Safeguarding

The protection of children (defined most broadly as people under eighteen years of age) and vulnerable adults is complex, and generally a matter for specialist regulation and advice. It is the responsibility of researchers to be aware of the current regulations and guidance, and to plan their work in the light of this. In the case of children, for example, parents or caregivers must be informed about the research and consent sought from them as well as from the young participants in question.

Integrity

Fidelity to the material that one collects should be taken for granted. However, the many examples (from folklore and other disciplines) of editing, bowdlerising, 'tidying up' and otherwise misrepresenting primary material indicate that this cannot reliably be assumed. As part of our responsibility to our informants, we should make every effort to represent what has been shared by them with as little editing or alteration as possible. Where editing, alteration or ‘tidying up’ is necessary, this should be explicitly acknowledged and justified, and, where possible, the original versions made available.

Data Management

Thought and care should be given at the planning stage to the organisation and preservation of research data. Most researchers working through UK higher education institutions or other research organisations will be required to complete a data management plan as part of the project approval process. This typically includes consideration of how the data will be organised; how this will shape the researcher’s conclusions; how will any identifying material be anonymised or otherwise redacted; how will data be securely stored, backed up and futureproofed; whether, and if so how, the data underpinning a set of research conclusions might be made available for other researchers to view in future (open access). Independent researchers are clearly in a different position, but useful general guidance about data protection in the UK can be found here: https://www.gov.uk/data-protection

Diversity

Modern research approaches recognise and celebrate the diversity of folklore - and folklore researchers - everywhere and over time. There is a need, where possible, to include a diversity of experience in our work, and to uphold the Folklore Society's commitment to equality, diversity and inclusivity. To ensure that participation, whether as researchers or researched, is inclusive and diverse, we are committed to working in ways that maximise equality, diversity and inclusion in the design, conduct and dissemination of research.

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