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A Narrative on the Witch-Hunt Narrative: The Moral Dimensions

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A Narrative on *The Witch-Hunt Narrative*: The Moral Dimensions

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Abstract

Ross Cheit's *The Witch-Hunt Narrative* raises a number of complex moral issues. Cheit's principal purpose is to challenge the belief that our society has overreacted to claims about the sexual abuse of children. Both directly and indirectly, Cheit's in-depth analysis broaches moral concerns pertaining to the integrity of child abuse allegations, investigations, civil litigation, and criminal prosecution, with an emphasis on the mixed motives of the parties involved in key cases. This article provides an overview of ethical questions pertaining to gathering information from very vulnerable individuals, informed consent, institutional review, protection of research participants, the use of deception and coercion, confidentiality and privacy, reporting research results, and conflicts of interest. In addition, the author discusses the phenomenon of whistle-blowing as it pertains to professionals' ethical judgments about disclosure of wrongdoing and misconduct. The author outlines key ethics-related concepts, applies relevant moral theory, and explores the implications of the moral issues raised by *The Witch-Hunt Narrative* for child sexual abuse victims, perpetrators, child welfare and law enforcement professionals, scholars and researchers, and the public at large.

Keywords

ethics, morality, research ethics, whistle-blowing

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Child sexual abuse is a scourge. About that there is no serious debate. What is debatable are claims about its occurrence and prevalence. Some of the debate is at the wholesale level, such that protective service professionals, child welfare researchers, and the public at large thrust and parry as they exchange competing claims about the magnitude of the problem, its etiology and predictors, victim impact, treatment of offenders, and the adequacy of prevention and prosecutorial efforts. Other features of the debate are at the retail level. As Ross Cheit's (2014) *The Witch-Hunt Narrative* makes abundantly clear, vigorous controversy persists related to the validity of child sexual abuse allegations in individual cases throughout the United States, from Hawaii to Virginia and from Minnesota to Florida.

The moral questions are complex and layered. Among the most compelling are case-based issues concerning the ethics of investigators' techniques, expert witness testimony, and litigation tactics involved in the notorious McMartin Preschool, Kelly Michaels, Country Walk, and, most recently, Penn State cases. Surrounding these intense polemics are broader ethical questions concerning the conduct of case-study research, especially with vulnerable populations, and professionals' whistle-blowing decisions and obligations when they encounter evidence of colleagues' misconduct (e.g., as researchers and expert witnesses).

Ethics Lenses

The Witch-Hunt Narrative broaches a series of moral questions and ethical issues that can be viewed through diverse lenses. Classic ethical theory—beginning with Socrates, Plato, and Aristotle—includes a range of conceptual perspectives on what is morally right and wrong. Although moral questions and conceptual tools have evolved over time in conjunction with the emergence of contemporary challenges, the principal goals have remained the same: to identify pertinent moral issues and explore their implications from a variety of perspectives, using the best available conceptual theories and frameworks.

Ethicists use a handful of prominent, sometimes competing, theoretical perspectives to examine moral dilemmas (Frankena, 1973; Rachels & Rachels, 2011; Reamer, 1993, 2013). Deontological theories (from the Greek *deontos*, “of the obligatory”) are those that claim that certain actions are inherently right or wrong, or good or bad without regard for their consequences. Thus, a deontologist—the best known is Immanuel Kant, the 18th-century German philosopher—might argue that being truthful is obligatory, irrespective of the consequences. From this point of view, it would be unethical for expert witnesses in the investigations and criminal court trials cited by

Cheit to bias or embellish their testimony about child sexual abuse allegations, regardless of the desirable consequences that might occur if expert witnesses bias their testimony to convict a dangerous perpetrator.

According to deontology, it would also be immoral for an investigative journalist to misrepresent the facts. For example, Cheit raises serious questions about Debbie Nathan's assertions in several publications where she questions the validity of child sexual abuse claims:

No writer has done more to perpetuate the view that scores of people were falsely imprisoned on charges involving satanic ritual abuse in the 1980s than Debbie Nathan. . . . Focusing on a single case from El Paso, Texas, where she lived at the time, Nathan argued that there was a "nationwide rash" of these cases. She proceeded to identify six cases by name, notably Kelly Michaels and Country Walk—each the subject of an entire chapter later in this book. In her next paragraph, these cases were all labeled "junior McMartins" and described as "an epidemic." The other cases mentioned by name included Jordan, Minnesota . . . , where there was substantial evidence of sexual abuse, and West Point . . . , where there was clear medical evidence of sexual abuse but no actual arrests. This leaves two cases that might conceivably support Nathan's nationwide claim: the Barkman case in Niles, Michigan . . . , and the Amirault case in Malden, Massachusetts . . . In short, Nathan's first article claimed there was a national trend, on the basis, at best, of a handful of cases. But few of those cases actually support the claim, if any. (p. 115)

From a deontological perspective, Cheit argues that Nathan violated the sacred and inviolable duty of ethical journalists to assert facts fairly and accurately (Meyers, 2010).

Also, for deontologists, who believe that veracity and truthfulness are sacrosanct, it would be unethical for expert witnesses to misrepresent their qualifications and expertise. For example, Cheit argues that a key expert witness in the Kelly Michaels case, Ralph Underwager, engaged in just such misrepresentation. According to Cheit, in his expert testimony Underwager, a psychologist, concluded that the investigative interviews in the case were "highly suggestive, even coercive" (p. 236). Underwager, Cheit says,

became controversial for his willingness to use extreme rhetoric. He told a national television audience, for example, that the interviews with children he had reviewed in the Jordan cases "mirrored those of Red Chinese brainwashing." In October 1993, when the Kelly Michaels case was between the Appellate Division and the New Jersey Supreme Court, Underwager became a magnet for intense criticism when an interview given in 1991 was published in the winter 1993 issue of a Dutch magazine called *Paidika: The Journal of Paedophilia*. In it, Underwager was quoted as saying,

Paedophiles spend a lot of time and energy defending their choice. I don't think that a paedophile needs to do that. Paedophiles can boldly and courageously affirm what they choose. They can say that what they want is to find the best way to love. I am also a theologian and as a theologian I believe it is God's will that there be closeness and intimacy, unity of the flesh, between people.

Underwager had not made these views widely known in the mid-1980s when he was one of the experts of choice for child sexual abuse defendants around the country. Nevertheless, there was a wealth of information in the late 1980s that cast doubt on his expertise. The Essex County Prosecutor's Office put an extraordinary amount of effort into preparing to cross-examine him. The cross-examination of Ralph Underwager lasted eight excruciating days. Glenn Goldberg extracted a series of embarrassing admissions from Underwager. No, he had never published any studies on child suggestibility. No, he had not reviewed significant materials about the children or the parents in the case. No, he had never visited the Wee Care facility in the process of concocting a "time and motion" study that purported to prove Michaels could not have abused the children. No, he had not counted the number of times children provided answers about sexual abuse in response to open-ended questions. From these and other responses, one of the prosecutors would later refer to Underwager as a "witch doctor" in his closing argument. The appellate court ruled that this reference was not unfairly prejudicial; rather, it had a basis in Underwager's own testimony. (pp. 236-237)

For deontologists, rules, rights, principles, and laws are inviolable. The ends—for example, discrediting a contrary expert opinion or obtaining a conviction in criminal court—do not necessarily justify the means, such as providing disingenuous or misleading testimony, particularly if pursuit of an appealing goal, no matter how noble, requires violating some sacred rule, right, principle, or law.

In contrast to deontology, the prominent ethical theory known as teleology (from the Greek *teleios*, "brought to its end or purpose") takes a very different approach to ethical decisions. From this point of view, the rightness of any action is determined by the goodness of its consequences. Teleologists think that it is naïve to make ethical choices without weighing potential consequences. To do otherwise is to engage in what the moral philosopher Smart (1971) referred to as "rule worship." According to teleology (sometimes known as consequentialism), the responsible ethical decision-making strategy necessarily entails an attempt to anticipate the outcomes of various courses of action and to weigh their relative merits (Frankena, 1973; Rachels & Rachels, 2011; Reamer, 1993, 2013). Thus from a strict, undiluted teleological perspective, Nathan's alleged misrepresentations and Underwager's alleged lack of candor—moral wrongs when considered in isolation—can be

justified only if they are necessary to right some greater wrong, for example, exonerating those who were falsely accused. Cheit argues persuasively that such moral gymnastics by some commentators and court witnesses are not defensible and are themselves unethical.

Teleology includes two major schools of thought, both of which are relevant to Cheit's thesis: egoism and utilitarianism. According to egoism, when people make choices about their conduct, they should maximize their own good and enhance their self-interest. In principle, expert witnesses who offer biased or embellished testimony that is influenced by payment from defense counsel would reflect egoistic instincts. Ideally, this would not occur; true justice in civil litigation and criminal court trials of the sort Cheit cites depends on testimony from experts who are trustworthy and do their best to be unbiased and provide opinions that are as objective as possible.

Utilitarianism, in contrast, considers teleological consequences differently. Utilitarianism holds that a course of action is right if it promotes the maximum good. According to the classic form of utilitarianism—as originally formulated by the English philosophers Jeremy Bentham in the 18th century and John Stuart Mill in the 19th century—when faced with a moral decision one should do that which will produce the greatest good. In principle, unscrupulous law enforcement and child welfare investigators, and expert witnesses who are determined to increase the likelihood of a criminal court conviction, would be willing to justify the use of leading questions, suggestive interviewing, persuasion, deception, and coercion to elicit favorable testimony from alleged child sexual abuse victims. Even subtle forms of leading questions, persuasion, deception, and coercion may seem ethically defensible among those who are convinced that alleged perpetrators need to be convicted and incarcerated, that the public benefit (the utilitarian's "greater good") provides the moral justification. That is, this form of teleology is not self-serving, in the narrow sense of the term.

Cheit introduces a number of examples of sexual abuse investigations that, he claims, violated widely embraced moral principles of fairness; using the language of ethics, some investigations allegedly strayed from the moral path and, in a teleological calculus, used unscrupulous methods to achieve some ulterior purpose, whether to implicate or exonerate alleged perpetrators. In the McMartin Preschool case, for example, Cheit concludes that

the quality of the interviews [of children at Children's Institute International] deteriorated in December. Many contained the kind of pressure tactics used at the end of November. In some instances, they contained unfounded assertions made by the interviewer that "all of the other kids" had talked, sometimes allegedly about the specific child being interviewed. (p. 46)

One other prominent ethics lens that is remarkably germane to the complex moral issues embedded in *The Witch-Hunt Narrative* is what ethicists call virtue theory (Beauchamp & Childress, 2013; Reamer, 2013). Virtue ethics is currently one of several major approaches in normative ethics. It emphasizes virtues, or moral character, in contrast to the approach which emphasizes duties or rules (deontology) or which emphasizes the consequences of actions (teleology and consequentialism). Virtue ethics originated with Plato and Aristotle, but among contemporary professions it is most closely associated with moral philosophers Tom Beauchamp and James Childress, who developed a prominent and widely cited virtues-based conceptual framework in the 1970s when the fields of biomedical ethics and professional ethics were just emerging. Beauchamp and Childress (2013) identify several core or “focal” virtues that are critically important in the work carried out by professionals and, as Cheit’s observations suggest, may have been lacking in some of the investigations he profiles.

Compassion

Compassion is a trait that combines an attitude of active regard for another’s welfare with an imaginative awareness and emotional response of deep sympathy, tenderness, and discomfort at another’s misfortune or suffering. Compassion presupposes sympathy, has affinities with mercy, and is expressed in acts of beneficence that attempt to alleviate the misfortune or suffering of another person. For example, professionals who investigate allegations of child sexual abuse have a duty to consider the impact of their investigative techniques and disclosures on child victims. They should not be motivated by self-interest (e.g., engaging in self-aggrandizing efforts to challenge victims’ claims of child sexual abuse under the guise of seeking justice).

Discernment

The virtue of discernment brings sensitive insight, acute judgment, and understanding to action. Discernment involves the ability to make judgments and reach decisions without being unduly influenced by extraneous considerations, fears, personal attachments, and the like. Thus, child sexual abuse investigators, investigative journalists, and other professionals are obligated to conduct themselves with a deep sense of fairness and scrupulous regard for the truth, as opposed to being motivated by personal or professional self-interest.

Trustworthiness

Trust is a confident belief in and reliance upon the moral character and competence of another person. Trust entails a confidence that another will act with the right motives and in accordance with appropriate moral norms. The general public, alleged victims of child sexual abuse, and alleged perpetrators must be able to trust that investigators and others in positions of authority have noble and pure intentions, and that their judgments and actions are not shaped by self-serving conflicts of interest.

Integrity

Moral integrity means soundness, reliability, wholeness, and integration of moral character. In a more restricted sense, moral integrity means fidelity in adherence to moral norms. Accordingly, the virtue of integrity represents two aspects of a person's character. The first is a coherent integration of aspects of the self—emotions, aspirations, knowledge, and so on—so that each complements and does not frustrate the others. The second is the character trait of being faithful to moral values and standing up in their defense when necessary. Thus, professionals who are actively involved in child sexual abuse investigations must sustain a principled, deep, earnest, and genuine commitment to professional integrity.

Conscientiousness

An individual who acts conscientiously is motivated to do what is right because it is right, has tried with due diligence to determine what is right, intends to do what is right, and exerts the appropriate level of effort to do so. Being conscientious means that professionals involved in child sexual abuse investigations take the time to be careful, thorough, and fair in their review of evidence and the conclusions they reach.

Ideally, the professionals and concerned citizens involved in the cases discussed in *The Witch-Hunt Narrative* would have acted in accord with the virtues of compassion, discernment, trustworthiness, integrity, and conscientiousness. However, Cheit suggests that very often some influential professionals and concerned citizens came up short, especially in those instances where there is evidence of deception, misrepresentation, trust violation, and self-serving conduct.

Research Ethics

The Witch-Hunt Narrative exemplifies rigorous, in-depth qualitative research. Cheit's painstaking and sustained case-based analysis required strict adherence

to prevailing methodological and ethical standards pertaining to research. His rich analyses are rooted in qualitative data derived from a series of independent cases involving allegations of child sexual abuse around which both expert witness testimony and Cheit's discussion are organized.

In principle, the quality of such case-based research should be judged according to widely held methodological standards that have evolved over time. Cheit's compelling research entails the special responsibilities associated with gathering information from and about a uniquely vulnerable population—children who are allegedly sexual abuse victims. Scholars' increased appreciation and use of narrative methods, situational and discourse analysis, and participatory action research have done much to advance our understanding of, and ability to address, compelling and daunting challenges related to many social problems, including child sexual abuse (Antle, Regehr, & Mishna, 2004; Creswell, 2006; Denzin & Lincoln, 2000; Padgett, 2008; Patton, 2002; Reamer, 2010; Shaw & Gould, 2002).

Ethical standards in research—including traditional experimental, quasi-experimental, quantitative, and qualitative methods—have developed over time, primarily due to two major phenomena. The first involves developments in the health care field. Perhaps the most significant historical events arose out of unethical research practices carried out by Nazi doctors at Nuremberg in 1945; the Tuskegee syphilis study, a 40-year project begun in 1932 by the U.S. Public Health Service to investigate the natural history of syphilis that misled participants about their health care conditions and available treatments; and the notoriously unethical study conducted with children at the Willowbrook State Hospital in Staten Island, New York, who were deliberately infected with hepatitis to enable researchers to study the history of the disease when left untreated (R. Levine, 1988; C. Levine, 1991; Loue, 2000; Shamoo & Resnik, 2009).

Growing awareness of ethical risks in research and occasional ethical misconduct led to a series of influential regulations designed to protect participants from harm. A number of these guidelines are germane to various efforts cited by Cheit to gather information from and about alleged child sexual abuse victims.

The first prominent guidelines in the United States were introduced in 1966 when Surgeon General William Stewart issued a U.S. Public Health Service directive on human experimentation that required grant recipients to protect participants (Whitebeck, 1998). Other important developments that have shaped contemporary thinking about protecting vulnerable individuals from professionals who wish to obtain information were publication of the *Belmont Report* (National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, 1979) and the *International Guidelines*

for *Biomedical Research Involving Human Subjects* (Berg, 2011; Council for International Organizations of Medical Sciences, 1993; Weijer, 1998).

The second major phenomenon that accounts for the maturation of ethical standards in research was the emergence of a new field of study in the early 1970s: applied and professional ethics. This unique field, which began primarily with developments related to health care ethics (or bioethics) and then spread to other professions, stimulated considerable discussion and debate about compelling ethical issues. The burgeoning professional ethics field provided a hospitable environment for practitioners and scholars to explore a variety of complex ethical issues related to data gathering, especially with regard to protection of vulnerable populations such as sexually abused children.

Several research-related ethical issues are particularly relevant to the sort of case-based, qualitative data featured in *The Witch-Hunt Narrative*: informed consent; institutional review; use of deception and coercion; confidentiality and privacy; preventing distress and harm; conflicts of interest; and reporting results.

Informed Consent

Professionals must be particularly attentive to informed consent issues, particularly when they seek to obtain information from and about vulnerable individuals, such as alleged child sexual abuse victims. Children who struggle with such trauma, and those who struggle with mental illness and literacy, may have limited ability to consent.

Cheit did not collect primary data from children themselves; however, he cites a number of data-gathering efforts conducted by others in which informed consent issues are pertinent. Children interviewed by investigators, journalists, and other data gatherers must be mindful of prevailing informed consent standards, which vary among different groups of professionals. Researchers clearly have a duty to adhere to widely embraced informed consent standards pertaining to empirical data gathering. Although law enforcement investigators are not held to the rigorous informed consent standards that govern researchers, the concept of consent is important to consider if we take seriously investigators' duty to protect vulnerable people as much as possible.

Minors themselves may not have the legal authority to consent; however, researchers and other data gatherers have a moral duty to obtain minors' *assent* to participate in interviews. And, importantly, investigators, researchers, and journalists of the sort cited by Cheit must recognize that parents do not always act in the best interests of their children when they consent on

their children's behalf. From a deontological perspective, parents have a moral duty to make such decisions in a manner that enhances protection of their children. Parents who consent to their children's participation for some ulterior purpose—for example, to seek revenge or gain notoriety—would be acting teleologically, either for self-serving purposes (egoism) or for some allegedly greater good (utilitarianism), in spite of the trauma their children may endure in the process.

Formal informed consent guidelines in the human services began with the landmark legal ruling in the 1914 case of *Schloendorff v. Society of New York Hospital*, in which Justice Benjamin Cardozo issued his widely cited opinion that “every human being of adult years and sound mind has a right to determine what shall be done with his own body” (President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, 1982, pp. 28-29). A second prominent court ruling, in which the term informed consent was first introduced, was issued in the 1957 case of *Salgo v. Leland Stanford Jr. University Board of Trustees* (President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, 1982). This core concept has since been applied in a wide variety of human service contexts, particularly when professionals seek information from and about vulnerable clients.

One unique challenge is that investigators and researchers are not always able to anticipate possible benefits and risks in advance. Usually informed consent is based on the assumption that professionals are able to disclose potential benefits and risks before participants begin their involvement. However, professionals who gather information from vulnerable individuals, such as child sexual abuse victims, often adjust their inquiry goals, questions, and data-gathering methods during the life of the inquiry, based in part on the unanticipated emergence of new issues and avenues that warrant exploration. When this occurs—for example, when consultants, researchers, and journalists interview alleged child sexual abuse victims—professionals must periodically revisit informed consent throughout the project to ensure that participants are willing to continue their involvement (Padgett, 2008; Waldrop, 2004).

The unique nature of qualitative data and information gathering has led to refinement of standard informed consent procedures to include what has become known as ongoing consensual decision-making and process consent, which “encourages mutual participation and mutual affirmation between researcher and participant, and offers an opportunity to actualize a negotiated view and make different research arrangements as necessary” (Munhall, 1991, p. 52; also see Ramcharan & Cutcliffe, 2001; Ramos, 1989; Seibold, 2000; Smythe & Murray, 2000; Usher & Holmes, 1997). In an ideal world,

fact gatherers—whether consultants, researchers, or journalists—in child sexual abuse cases would revisit participants' consent throughout the process, as needed, to ensure ongoing protection of vulnerable children (again, law enforcement investigators are not likely to be held to this standard). To what extent this occurred in the dozens of cases cited by Cheit is impossible to assess, but this is an important issue to raise and an ideal to pursue.

Institutional Review

One of the important byproducts of increased focus on ethical issues was the invention of the concept of institutional review. Institutional review boards (known as IRBs, human subjects' protection committees, and research participant committees) became popular in the 1970s and greatly enhanced protection of vulnerable individuals. An IRB may request additional information and details, or may request certain changes in a project's design before approving a proposal. Such a review is essential when one sets out to conduct research about extraordinarily vulnerable populations, such as alleged child abuse victims.

Given that Cheit did not gather data directly from a vulnerable population and sought to use pseudonyms to protect children's privacy, an IRB may have had little concern about his research methods. Yet, such rigorous external review is essential, especially when the principal investigator plans to publicize highly sensitive information about a vulnerable population and when it may be impossible or infeasible to disguise some of the children's identities.

Use of Deception and Coercion

One of the legacies of the infamous Tuskegee and Willowbrook experiments, and other unethical inquiries, has been growing awareness of the ethical downside of deception and coercion. Some qualitative researchers—especially those engaged in narrative research—argue that professionals need to develop authentic and deeply respectful relationships with participants that are devoid of deception. This would seem to be particularly important when gathering information from child sexual abuse victims such as those cited by Cheit (Smythe & Murray, 2000).

Professionals who seek information from vulnerable clients should be keenly aware of guidelines concerning deception and coercion. Because some qualitative methods are much less formal and rigid, more creative and innovative, and are more subtle than traditional experimental and quantitative research, qualitative researchers can sometimes be lulled into a false belief that standards concerning the use of deception and coercion are looser.

The informal and relatively close relationships that sometimes develop between data gatherers and vulnerable sources of information can lead some researchers to let down their guard and take unwarranted liberties in their methodology, leading them, for example, to withhold important information from individuals that might influence their decisions to continue involvement in the data gathering (Ramcharan & Cutcliffe, 2001).

The very nature of qualitative data gathering may encourage development of relationships with ambiguous boundaries (Toma, 2000). This challenge can arise among child welfare and law enforcement investigators who seek qualitative information from children who are alleged sexual abuse victims. Once again, we do not know, and presumably cannot determine, the extent to which the diverse data gatherers in the cases cited by Cheit—investigators, consultants, researchers, and journalists—used deception or coercion. Nonetheless, Cheit asserts that in a number of the cases he discusses, information gatherers employed coercive and deceptive tactics that do not pass ethics muster. For example, in his discussion of the McMartin Preschool case, Cheit concludes that one child who was interviewed “endured sustained pressure” (p. 46). Regarding the Kelly Michaels case, Cheit states that

as the investigation expanded to include all of the children, it reached many who did not allege any kind of abuse. This happened at the same time Fonolleras [investigator for the New Jersey Department of Youth and Family Services] was becoming convinced that most, if not all, of the children at Wee Care had been sexually abused by Michaels. The belief led to interviews where some children were prompted and pressured inappropriately. (p. 217)

Confidentiality and Privacy

Investigators and researchers typically understand the importance of strict protection of privacy and confidentiality when they obtain sensitive information from vulnerable individuals such as alleged child sexual abuse victims; such information may concern personal trauma, emotional anguish, vengeful fantasies, and illegal behavior (Baez, 2002; Dickson, 1998). Cheit recognized his moral duty to protect the privacy of the children he discussed to the greatest extent possible. Clearly, Cheit was sensitive to the potential impact on victims had he used their actual names. To his credit, Cheit used pseudonyms wherever feasible: “Pseudonyms have been given for first and last names of almost all of the children mentioned in this book” (p. 420).

That said, Cheit acknowledges that there are limited exceptions in the book. It would have been useful for Cheit to discuss, at least briefly, the moral choices involved in including any identifying information, no matter

how rare. Researchers have a duty to take assertive steps to protect individuals, especially such vulnerable individuals as those discussed by Cheit, and to acknowledge the potential emotional harm that additional publicity might cause.

Preventing Distress and Harm

One of the principal consequences of the research-related scandals exposed by the Nuremberg trials and the Tuskegee and Willowbrook experiments has been an earnest commitment among researchers to protect human participants. Guidelines established by the U.S. Public Health Service, the World Medical Association, the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, and the Council for International Organizations of Medical Sciences have strengthened researchers' efforts to prevent distress and harm. The notion of "do no harm" has become an institutionalized, sacred mantra among researchers. Similar standards should be extended to efforts by child welfare and law enforcement professionals and consultants who seek information from alleged child sexual abuse victims.

Researchers, investigators, and consultants who use qualitative methods do not need to be concerned about the kind of harm associated with some experimental research techniques, such as denying treatment to vulnerable people randomly assigned to a control group or withdrawing treatment from people in conjunction with a single-subject reversal design (e.g., an ABAB design). The risks in qualitative data gathering are substantially different and are more likely to be a function of professionals developing close relationships with the people from whom, and about whom, they are gathering information. Professionals who gather information from vulnerable populations, such as child sexual abuse victims, often have access to the most intimate corners of people's personal lives, which could lead some victims to feel overexposed or at risk emotionally. Participants may respond to professionals' queries by revealing details about their lives that they later wish they had not shared.

Vulnerable people who provide information may also discover that delving into emotionally toxic and painful areas of their lives in response to professionals' questions or prompts is destructive or otherwise counterproductive, particularly if questions address sensitive topics such as child sexual abuse. As Usher and Holmes (1997) note, "Although qualitative research does not generally place the participants at risk from procedures, they may be exposed to data collection that is both intrusive and invasive of sensitive experiences" (p. 52).

In this regard, Cheit cites numerous instances where children were interviewed at length about alleged abuses committed against them. Cheit's painstaking research documents case after case of intrusive questioning of children—perhaps a necessary component of such investigations, at least to some extent—that may have traumatized these minors, while doing his best to protect their privacy by using pseudonyms wherever possible.

Reporting Results

Perhaps it should go without saying that professionals have an ethical duty to report research and investigation findings and results accurately and without any attempt to deceive. Professionals have an obligation to acknowledge the limitations of their methodology (e.g., difficulty controlling for extraneous factors that might account for outcomes, limited generalizability of results, threats to the validity of data). For instance, Cheit raises concerns about the ways in which psychologists Stephen Ceci and Maggie Bruck report and interpret findings from their research on the suggestibility of children who are witnesses. Ceci and Bruck (1993) themselves raise questions about methodological weaknesses in the studies they reviewed about suggestibility of children and, in turn, Cheit raises questions about Ceci and Bruck's meta-analysis and the conclusions they reach.

Cheit also asserts that Ceci and Bruck are not neutral, unbiased observers, particularly because of their collaboration with defense counsel in the Kelly Michaels case. According to Cheit,

Robert Rosenthal, the defense lawyer, clearly played a pivotal role in linking Ceci and Bruck's research to the facts of the Michaels case. In their 1995 book, Ceci and Bruck would credit Rosenthal for "verifying information against the trial transcripts." More recently, Ceci's vita was changed to credit Rosenthal as a *co-author* of the Concerned Scientists brief. . . . These facts undercut the claim that Ceci and Bruck made to being centrists who were not affiliated with the prosecution or defense side of the issue. (p. 277; emphasis in original)

Cheit also broaches another key example of alleged misrepresentation in the reporting of results by Bruck in her efforts to discredit investigations in the Country Walk case. Based on his analysis, Cheit concludes that Bruck cited

passages from interviews that she found objectionable without any apparent attention to who was being interviewed, when the interview occurred in the course of the investigation, and what relationship, if any, the interview had on the actual charges on the case. What is lost as a result is any sense of the *actual*

impact or representativeness of these disembodied snippets. (p. 342; emphasis in original)

An additional ethical risk arises out of the fact that vulnerable people who serve as information sources may react to seeing their lives described and analyzed in detail in formal and informal media reports, testimony, and publications (Chase, 1996). Victims may feel harmed by what they regard as incomplete or inaccurate portrayals of important aspects of their lives and may want to have some control over how information is presented. In principle, this kind of exposure could retraumatize these victims. Smythe and Murray (2000) commented on this kind of risk with respect to the use of narrative research results:

Who owns the research participant's narrative? That is, who wields the final control and authority over its presentation and interpretation? The issue of the ownership of data scarcely arises in traditional psychological research, where . . . one simply gives away one's data to the researcher as part of the standard research participation contract. However, can one give away one's own story in this fashion, especially when it is so heavily invested with one's personal meaning and sense of identity? (p. 324)

Again, Cheit's use of pseudonyms throughout the book, where possible, when referring to children is his admirable attempt to minimize harm associated with his report of the results of his queries.

Conflicts of Interest

Professionals who gather information from vulnerable individuals need to be on high alert for potential or actual conflicts of interest. Conflicts of interest occur when professionals' determination to gather data clashes with participants' well-being. Professionals must ensure that their agendas—including any investigative, research, activist, or financial goals—do not take precedence over participants' emotional needs and safety (Smythe & Murray, 2000). For example, Cheit asserts that there is compelling evidence that some of the therapists involved in the McMartin Preschool Case were "activist-therapists" who abandoned their professional neutrality and advanced their own agendas:

Therapists also exerted influence on parents and investigators by adding a professional stamp of approval to various claims, particularly the focus on satanic ritual abuse. They were not part of the criminal case, however, and their records would be subject to discovery only in civil litigation, which never came

to pass; so they were largely hidden from view. But they were deeply involved. . . . When various children described similar but implausible things, these therapists viewed it as proof of the widespread existence of their theory—rather than proof that their theory had taken hold of their view of the case. (p. 71)

Professionals who gather information from vulnerable individuals must be careful to avoid role confusion that can compromise their objectivity, neutrality, and, in some instances, integrity. Seibold (2000) shares the ethical challenges she faced when she used qualitative research methods to study the emotional lives of single, midlife women. Their relevance to the kinds of information gathering that occurred in the cases discussed by Cheit is compelling:

On the two occasions in which the interviews proved cathartic they took on elements of a therapeutic relationship. One woman revealed that she had been a victim of child abuse and another became very distressed when speaking of her relationship with her mother. After the interviews I thought about when and why an interview might or should be terminated. If you terminate an interview are you retreating from a relationship established? What responsibility do you have as a researcher to suggest or facilitate counseling? While in the two cases referred to it did not reach this stage, there was cause to consider the possibility, and whether this would constitute further invasion of privacy.

The Ethics of Whistle-Blowing

Perhaps the principal goal of gathering information from and about child sexual abuse victims is to prevent and expose harm. Ultimately, this kind of data gathering has a profoundly humane purpose. However, gathering data to shed light on wrongdoing and misconduct—a form of whistle-blowing—has the potential itself to cause harm if not done ethically. Disclosure of information that leads to investigation and prosecution of alleged wrongdoers must be handled responsibly and in a principled way.

Whistle-blowing issues in *The Witch-Hunt Narrative* manifest themselves in several compelling ways. First, Cheit cites a large number of earnest professionals who sought to blow the whistle on child sexual abuse. Many child welfare investigators and professionals, prosecutors, and other law enforcement officials sought to cast a bright light on child sexual abuse in an effort to bring perpetrators to justice and, ideally, prevent further abuse. This sort of whistle-blowing, the sound of which can be amplified greatly by media coverage, can shock the public's conscience in a constructive way and lead to meaningful educational and prevention efforts, in addition to retail-level investigation, prosecution, and conviction.

In addition, Cheit's complex analysis blows the whistle on misguided, uninformed, inept, and, possibly, unscrupulous "experts" who weighed in on various cases, sometimes as consultants, media sources, and expert witnesses. Cheit argues convincingly that some so-called experts in the cases he cites were less than honorable and competent, influenced unduly perhaps by their own biased agendas, greed, narcissism, and hubris.

The prominent whistle-blowing theme in *The Witch-Hunt Narrative* warrants its own focus, given the potentially explosive ramifications for child sexual abuse victims, perpetrators, child welfare professionals, experts, and the public at large. That is, whistle-blowing is itself an ethics-related phenomenon, raising challenging questions about when it is truly justifiable on moral grounds. Ideally, principled whistle-blowing is based on careful consideration of several criteria and conditions.

Severity of the Wrongdoing

Wrongdoing in life ranges from mild to severe. The more severe the wrongdoing, the stronger the arguments in favor of whistle-blowing. Clearly, wrongdoing resulting from child sexual abuse is extraordinarily severe. Blowing the whistle on incompetent or unethical investigators and experts is also justifiable, even if, in the strict sense, this conduct is not as serious as child sexual abuse. Cheit gathered, collated, assessed, and presented impressive evidence demonstrating the severity of a wide range of such wrongdoings.

Quality of the Evidence

Because of the serious, sometimes life-altering ramifications of whistle-blowing, it is important for whistle-blowers to have strong evidence. Those who are accused by whistle-blowers have the right to defend themselves and, where appropriate, to challenge allegations. Due process is important. To his credit, Cheit invites readers to scrutinize his evidence and engage in constructive debate:

My having concluded that there was credible evidence in a case does *not* mean the defendant was necessarily guilty. But it does mean that in my opinion, as documented by the evidence I reviewed, there was sufficient reason for authorities to have investigated and brought charges. . . . (p. xiv)

In the course of making these assessments, I employ the terms *credible evidence*, *corroborating evidence*, and *solid medical evidence*; all these assessments are my opinion and my opinion alone. . . . (p. xv)

I close with the hope that anyone who approaches my work with skepticism—and a certain amount of skepticism is always healthy—will hold the witch-hunt narrative to the same standards of evidence and proof that are applied to the arguments in this book. I could not ask for anything more, and I hope that critics of my work will do nothing less. (p. xvii)

Impact

Anyone who contemplates blowing the whistle has a moral duty to consider the potential impact that whistle-blowing will have on those individuals and organizations that are in the proverbial crosshairs. Full-scale whistle-blowing can destroy reputations, harm careers, and wreak emotional havoc. These consequences—the potential ripples in the pond—should not be taken lightly. This is not a reason to avoid blowing the whistle, but the potential impact ought to be considered carefully before doing so. For understandable reasons, *The Witch-Hunt Narrative* has placed many people's lives under a high-powered microscope. Put differently, once these bells have been rung, it is nearly impossible to un-ring them.

A morally responsible potential whistle-blower must also assess the likelihood that blowing the whistle will truly make a difference. To what extent will public disclosure and allegation lead to meaningful reform and constructive change in policies and practices? There is evidence that Cheit's book has drawn and will draw much-needed attention to critically important aspects of the justice, child welfare, and broader public policy and human service systems. Reform in the face of wrongdoing is essential; sometimes full-scale whistle-blowing is necessary to bring it about.

Motives

Whistle-blowers publicize their concerns for various reasons. Some whistle-blowers are motivated solely or primarily by their concern about righting wrongs, protecting the vulnerable, and seeking justice. Certainly, these are virtuous motives. In contrast, other whistle-blowers are motivated to a great extent by their wish to seek revenge and cause suffering among those who have wronged the whistle-blower or others. These may be understandable sentiments, but they hardly rise to the level of virtuous motives.

Cheit's motives in writing *The Witch-Hunt Narrative* have all the markings of virtue. Everything about his extensive research suggests that his aims are noble, rooted in his deep-seated wish to protect children. Although it is true that Cheit's own victimization as a 13-year-old by a San Francisco Boys Chorus staffer stoked the fires that seem to burn inside him about the horrors of child sexual abuse, Cheit's scholarship rises to the most demanding

academic standards; there is no hint that Cheit undertook this grueling research in an effort to engage in ad hominem attacks for self-serving purposes. Indeed, Cheit is transparent about his own personal investment in this research and appears to have bent over backward to consider arguments that might challenge his own conclusions. During the course of his research, Cheit concluded that it must

encompass an expansive number of cases in order to be sure I was doing justice to the witch-hunt narrative. The idea was inspired by Darwin's fabled practice of posting for himself notes with any evidence contrary to his own theories or expectations; in this way, "the arguments most easily forgotten" would have to be confronted and explained. (p. xii).

The Viability of Reasonable Alternatives

Before one goes full force with whistle-blowing, one should think about whether there is a way to address the issues in a quieter and more constructive way. One must ask whether there are reasonable and feasible alternatives. As Fleishman and Payne (1980) observe about moral dilemmas associated with blowing the whistle on a misbehaving colleague in the public policy arena,

The moral problems caused by other people's sins are an old story. When one discovers the corruption of a friend or political ally, personal and political loyalties may conflict with legal duty or devotion to the public interest. The high value of loyalty in politics may make the conflict a wrenching one, but on principled grounds the sacrifice of law or public interest to loyalty in such a case can hardly be justified. (p. 43)

Certainly, Cheit's legitimate purposes could not have been satisfied by direct communication with or confrontation of the parties associated with the cases he scrutinized. Whether those who blew the whistle in these cases, where they pointed their finger at alleged perpetrators, could have pursued reasonable alternatives is hard to know, although it is fair to say that typically this would not be a feasible expectation in cases involving alleged child sexual abuse.

Conclusion

Presumably, Ross Cheit did not set out to write *The Witch-Hunt Narrative* as a vehicle for discussion of complex moral issues per se. Rather, his principal goal was to write a compelling, carefully researched tome to challenge the belief that our society has overreacted to claims about the sexual abuse of children. But in so doing, Cheit has broached, both directly and indirectly, a wide range of complicated, difficult ethical questions. Chief among them are

moral concerns pertaining to the integrity of child abuse allegations, investigations, litigation, and prosecution; research and information-gathering ethics (especially with regard to gathering information from very vulnerable individuals and issues of informed consent, institutional review, protection of research participants, the use of deception and coercion, confidentiality and privacy, reporting results, and conflicts of interest); and the phenomenon of whistle-blowing. In this respect, Cheit has performed a critically important service, in that *The Witch-Hunt Narrative* provides a diverse public with a unique opportunity to wrestle with the daunting challenges associated with child sexual abuse and its compelling sequelae.

Much of *The Witch-Hunt Narrative* is about ethics and morality. After all, earnest and noble attempts to wrestle with the scourge of child sexual abuse are all about seeking justice. And as Aristotle said in one of his best known and most important works, *Nicomachean Ethics*, "In justice is all virtues found in sum."

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