Qualitative Transparency Deliberations

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Data access and “right to first use” of newly collected quantitative data

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Posted: **Thu May 19, 2016 8:34 pm**
by **gcapoccia**
One important issue that has been raised elsewhere (e.g. Hall 2016) but that has not yet been discussed here is the “right to first use” of newly collected data and the connected problem of establishing reasonable embargo periods. This applies to both qualitative and quantitative data. A subtext in the DA-RT debate is that different “research communities” should establish appropriate transparency standards for the type of research that they do (e.g. Elman and Lupia 2016). In actual fact, many “qualitative” researchers often also work with quantitative data (as the very name of the section that sponsors this discussion suggests) and vice versa. It might therefore be helpful to discuss, in this context, the issue of the right to first use for quantitative data. This question is potentially highly relevant to us since qualitative, historically oriented researchers often collect and analyze original quantitative data.

As the letter on DA-RT, dated 7 January 2016, from 20 APSA presidents underscores, the JETS standards do not adequately protect the “right of first use”. For a short article on this matter in the forthcoming issue of the APSA-International History and Politics (IHAP) Newsletter, I looked at the actual guidelines of JETS journals. (I wrote the piece last January, so the information below refers to the guidelines at that point in time. However, they are unlikely to have changed substantially in the meantime.) Of the 27 JETS journals, 17 make no mention of the possibility of embargoes for original data in the “Instructions for Authors” or similar documentation posted on their website. (In one case, the possibility of an embargo to protect the “right to first use” is explicitly ruled out.) The remaining 10 journals generally qualify the possibility of embargoing original data as an “exemption” from the rule of immediate disclosure, not as a right. Authors can apply to the editors for an exemption but the editors seem to retain full discretion over whether it will be granted. No criteria are spelled out for granting the exemption and therefore there is no way for authors to know in advance whether they can reasonably expect such an exemption.

This situation is not compatible with the protection of a right to first use of newly collected data, if a researcher wants to use them for more than one journal article. Such lack of a reasonable protection of this right is likely, as other colleagues have argued, to deter researchers from collecting new quantitative data and from posing questions that require analyzing such data. Instead, researchers will have incentives to pose questions that can be addressed by analyzing “off-the-shelf” quantitative data, which obviously entail no collection costs or problems of disclosure.

Of course, these are undesirable consequences. At the same time, it is important to safeguard the interest in replicating quantitative analyses. One way to deal with this tradeoff, which I discuss in the IHAP Newsletter piece (A draft is at http://users.ox.ac.uk/~ssfc0073/Writings%20pdf/IHAP.pdf), is to explore ways in which the author could release newly collected data to the journal at the time of publication, but not to the wider public until the expiration of a mutually agreed upon embargo period. Such a solution would allow the journal to carry out an in-house replication (as some journals already do), and then release the data only after the embargo expires. Alternatively, the journal could deposit the data in a public repository that would in turn release them automatically at the end of the embargo. There might be other ways to address that tradeoff, which we may want to discuss here.

A more general question that might also be useful to consider in this forum is what constitutes a reasonable embargo period for newly collected quantitative data. The APSA Ethics Guidelines mention a one-year period as a maximum. Whether, however, a one-year embargo adequately protects the "right to first use" is likely to depend on several criteria. These include, among others, the type of data (how long it took and how much it cost to collect them), their degree of originality (to take extreme cases, a fully original dataset that took two years of field research to collect would warrant more protection than, say, the integration of an existing dataset with some original observations derived from secondary sources), the professional condition of the author (a junior author with a heavy teaching load will probably need more time to use her data than a full professor at a research university who can enlist the help of several research assistants). I expect that in a significant number of cases a one-year period may not be adequate if we treat the "right of first use" as a right, and not as an exemption entirely within the discretion of journal editors. An alternative approach could focus on the possibility of a longer standard embargo period, which is more likely to protect the right of first use in virtually all cases. In a recent contribution, Peter Hall has suggested that a three-year period could be adequate (Hall 2016, 28). Personally, I am sympathetic towards his suggestion. But more generally, the question of embargoes for original data seems to deserve more attention in the DA-RT debate than it has been given so far. What do colleagues think? Journals, of course, always have the power to decide independently whether, and based on which criteria, they wish to allow embargoes, but an open debate on the issue would provide a useful frame of reference for individual editors.

Re: Data access and "right to first use" of newly collected quantitative data

Posted: **Fri May 20, 2016 5:23 pm**
by **Guest**
"Right of first use" is one of the four main premises of the original DA-RT changes to the APSA Ethics Guide. It has been part of the DA-RT conversation for many years.

Re: Data access and "right to first use" of newly collected quantitative data

Posted: **Fri May 20, 2016 9:06 pm**
by **gcapoccia**

> *Guest wrote:*"Right of first use" is one of the four main premises of the original DA-RT changes to the APSA Ethics Guide. It has been part of the DA-RT conversation for many years.

This is not in doubt. The problem is that, as documented above, in practice the JETS journal signatories do not provide sufficiently articulated guidelines to ensure the respect of the right to first use, and even the one-year limit recommended by the APSA Ethics Guidelines is unlikely to be adequate in many cases. As I

mentioned, this view has been indeed expressed by others over the past few months. My intervention aims to raise this issue in this specific forum since many members of the "Qualitative and Multi-Methods Section" do indeed also use quantitative data, often original, and may have views on this issue. The idea that "research communities" should deliberate on specific methods has merit because the views of colleagues who have direct experience with specific methods are most valuable in exploring the tradeoffs that the introduction of transparency standards often implies. At the same time though, there are issues that cut across "research communities" and the right to first use of newly collected data is one of these.

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