



[Ethical Guidelines for Statistical Practice: Report of the Ad Hoc Committee on Professional Ethics]: Comment

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A mechanism designed "to keep the importance of ethical principles before the membership of the Association . . ." (Statement III.B) without imposing standards would fill a long-felt need in our profession. Physicians and lawyers get some overt training in ethical principles and standards of behavior, training designed to keep them out of trouble and to protect society. Although statisticians and mathematicians may pick up some guidelines from casual conversation or by emulation, our body of literature has not been extensive, and many of us have not felt compelled to absorb it.

If statisticians are to develop the information they need about professional ethics and responsibility, the initial guidelines should be few and general. If we become specific early, we run a danger of crystallizing our guidelines before we have studied and debated large numbers of practical cases. Because our profession has connections with nearly every scientific, social, business, and governmental area, guidelines we set for ourselves may have unexpected and unpleasant secondary effects in surprising directions. We must explore the consequences of our guidelines for, say, setting standards for materials, for carrying out public, private, or scientific sample surveys, for human experimentation, and for analysis of data. We must think through the ramifications in such areas as welfare, social security, census, defense, justice, education, and industry. All this can be profitably accomplished with hard work and extensive discussion stimulated by a Committee on Ethics.

We need to be alerted to the traps of our profession. Guidelines and case studies could help us, if only by making us aware that certain circumstances are about to lead us into trouble. We could be helped more if we had advice about how to handle specific situations. Many of us can *drift* into difficulty.

Let me give an illustration that every statistician will find familiar. You are cornered at a party by an investigator from another field who tells you quickly what he is doing about a statistical problem, rather abstractly stated, and asks if that sounds all right. You don't want to be disagreeable and you mumble something like "that might be all right but I'd have to see it in more detail." Later he catches you with a "five-minute question" walking to the parking lot. You disengage as best you can. You may well discover later that this person in making grant applications is citing you as a statistical consultant who endorses the methods being used and who is available to the project. Of course, you feel indignant about this, but you did not actually take any very active step along the way to prevent this outcome. How *are* you supposed to behave when a fellow scientist

asks you a casual statistical question? I trust the guidelines will ultimately give us some help on this and related matters. Although this street corner consulting sounds very dangerous, I have had some most enriching experiences that began so casually.

How far does our responsibility go? Someone drops in for help with a routine analysis of their data. You uncover patterns that indicate rather clearly that something is wrong with the investigation. Naturally you inform the investigator. If he chooses to ignore this, do you have further obligations? If so, what are they?

For developing an initial set of proposed guidelines, the drafters deserve our appreciation. I am concerned, however, that if the guidelines stand alone without context, they might be misused and misinterpreted. Although I welcome the guidelines, I see the effort as one just as endless as all law. I say this because the legal system loves to settle single cases without setting principles. We will need more than principles to help us deal with situations having complications, situations where principles conflict. To give a trivial example of such conflict, I observe that the proposed guidelines tell me to make the data sources available to others (Statement II.C.4) while against this I must disclose no private information belonging to a client (Statement II.D.7). The privacy concerns of Statement II.C.4 do not seem to address proprietary rights.

To push the matter further, Statement II.C.4 opens up a problem that we know is an area of conflict. As a general proposition we want to encourage data banks and reanalysis. Still, just when is it that others have a right to my data, how extensively do I have to document it in handing it over, and who pays for all this? Do I get to publish first?

I like the idea of ethical guidelines rather than ethical principles, and I hope the latter language will be changed in Statements I.C.3 and I.C.4.

As for the general guidelines in Section II.A, I see no reason why statisticians are required to have more integrity when private interests are involved than at other times. In Statement II.A.2 I am told not to make undocumented statements, yet as a professional my unsupported opinion may be of value, and it may be my job to give it.

I like the short opening statement in Section II.B dealing with privacy. The actual list of obligations (1-5) seems to me to need tempering appropriate to the situation. The costs and inertia created by uniformly applying the specific principles could bring social data-gathering nearly to a halt. Thus I feel that these more explicit statements could be profitably removed to parts of a larger document where each item would be discussed in context. Although I want to support privacy, confidentiality, and informed consent, as well as limit the burden on respondents, I do not support all of these ideas in every situation. I would prefer then that "gen-

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eral guidelines" remain general and that the details be part of the much-needed special studies described in Statement I.C.3.

Statement II.C.6 encourages us to address criticism to the inquiry instead of to individuals. Probably what is meant by this statement is that criticism of facts rather than of people keeps the discussion on a higher plane and encourages a more profitable outcome from a review, and, of course, this meaning deserves support. Yet short statements like this without context could misdirect our attention. Another way of looking at this statement is that it seems to direct us to relax what little vigilance we have against fraud. I have often argued that we statisticians have no special strength in detecting fraud. We, and other scientists, start with the idea that nothing outrageous has happened. Most of what we do is based on mutual trust. Once we are convinced that something unsavory has occurred, we can, of course, help ferret out the problem, but we do not have a vigilant attitude against fraud.

As my final example of the difficulty of context-free principles, Statement II.D.3 advises statisticians not to accept contingent-fee arrangements. Frequently government and private industry advertise for groups to carry out research, based on submission of bids. Statis-

ticians are often part, an essential part, of the team preparing the response. If the group wins the contract, then the statisticians are likely to be employed as consultants on the project—which to me is clearly a contingent-fee arrangement, though others may feel differently. Are we to have some statisticians help prepare the bid (often free of charge), and others unfamiliar with the planning execute the project? Or are these organizations to be deprived of statisticians altogether? Neither, I think, and I am sure that in the proper context this advice is excellent, though why it is all right for, say, lawyers and not for statisticians needs to be explained.

Although my remarks may sound negative towards these guidelines, that is not my message. Instead (a) I am pleased to see progress in the direction of alerting us to our long-standing ethical problems; (b) I want some general statements on ethics; (c) We need the more detailed guidelines in a context where they can be properly appreciated. Specifically, the arabic numbered items in Section II, while excellent in the abstract, seem to take us too far too fast; (d) We need advice about methods of handling specific difficulties; (e) I look forward to the establishment of a Committee on Professional Ethics and to its activities as described in Section I.C.

Comment

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One can certainly imagine that considerable time and energy must have been spent preparing these guidelines. The Committee on Ethics should be commended for its endeavors. While I believe in general that the resulting document positively contributes to our profession and to the practice of statistics, I am concerned about several facets of the document.

Over the last year or so in my capacity as president of our local ASA chapter and as instructor for a consulting techniques course, I have discussed the proposed guidelines with many faculty members and students. The question that was most often asked concerning these guidelines was, "Do we really need an official document from ASA dealing with ethical considerations for statistical practice?" While it is true that statistical consultants in universities may find little opportunity to invoke these guidelines, the mere existence of the document should be helpful. I propose to post the resulting document on a bulletin board in our statistical laboratory beside the information describing the services (and charges) that we offer. If the final document is available in a shorter version showing only Section II, I believe all statistical service facilities would be well advised to post the guidelines.

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In my private practice as a statistical consultant, there have been several occasions in which it would have been helpful to reference these guidelines. In one situation in which I was asked to testify before a legal body, a situation arose that eventually developed into a question concerning whether professional statisticians have a formal code of ethics from their national organization. At the time there was not any and it therefore required considerably more time and effort on my part to convince them of the correctness of my position.

After reading the document several times, I began to wonder what the difference is between the several documents that I have seen dealing with professional ethics. In particular, there appear to be at least the following types of documents: (a) a code of professional ethics, (b) rules of conduct, (c) concepts of professional ethics, and (d) guidelines. I proceeded to contact a colleague, Terry Lantry, who is Professor of Accounting and Business Law in the Business College at Colorado State University. Professor Lantry is familiar with codes of conduct for professionals. He suggests that a code should consist of three parts: concepts of professional ethics, rules of conduct, and interpretations of rules of conduct. While I am not sure that I appreciate the distinction between the three sections of such a document, it does appear as if we have portions of each of these sections in Section II, General Guidelines. For