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THE INCLUSION OF RESPONDENTS IN QUALITATICE PEDAGOGICAL RESEARCH. METHODOLOGICAL DILEMMAS AND LEGAL CONDITIONS

Włączanie osób badanych w jakościowe badania pedagogiczne. Dylematy metodologiczne i uwarunkowania prawne

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Abstract

The review article is an attempt to present the issue of including respondents' inclusions in the process of qualitative pedagogical research. The problem is not often discussed in the literature in the field of pedagogical research methodology, while the dynamically developing philosophy of qualitative research in this area (participatory paradigms) proves the need to discuss the methods and possibilities of cooperation between the researcher and the respondents. The theoretical aim of the authors is to define the described issue, whereas the practical goal of this article is to show how to include respondents in the active participation in research, and legal issues related to their participation. The latest Polish and English-language literature and practical experience indicate the existence of a number of inclusive ways of data collection, analysis and interpretation in cooperation with the surveyed entities. The article may be an inspiration for a pedagogue - teacher - educator - tutor who carries out diagnostic (research) tasks in the process of educating his pupils.

Keywords: qualitative research, inclusion of respondents, research paradigms, way of including subjects in the research process, inclusive methods of data collection, communicative validation.

Streszczenie

Artykuł ma charakter przeglądowy i prezentuje problem włączania badanych do jakościowych badań pedagogicznych. Problem ten nie jest często poruszany w literaturze z obszaru metodologii badań pedagogicznych, tymczasem dynamicznie rozwijająca się filozofia badań jakościowych w tym zakresie (paradygmaty partycypacyjne) świadczy o konieczności dyskutowania o sposobach i możliwościach współpracy badacza z badanymi. Cel poznawczy artykułu to zdefiniowanie opisywanego zagadnienia i tym samym wzbogacenie teorii badań pedagogicznych, natomiast ukazanie sposobów włączania podmiotów do aktywnego udziału uczestników w badaniach oraz prawnych standardów związanych z ich partycypacją stanowi praktyczny cel artykułu. Najnowsza literatura polsko- i anglojęzyczna oraz doświadczenia praktyczne badaczy jakościowych wskazują na istnienie inkluzyjnych sposobów gromadzenia danych, ich analizy i interpretacji we współpracy z badanymi podmiotami. Artykuł może być inspiracją dla pedagoga-nauczyciela-edukatora-wychowawcy, który realizuje zadania diagnostyczne (badawcze) w procesie kształcenia i wychowania swoich uczniów i wychowanków.

Słowa kluczowe: badania jakościowe, inkluzja badanych, paradygmaty badawcze, sposoby włączania badanych w proces badawczy, inkluzyjne sposoby gromadzenia danych, walidacja komunikacyjna.

Introduction

The methodology of pedagogical research shows a pro-inclusion tendency to change the perception of the subject as a full-fledged subject of research and to include the subject in the design of the research process. The article is trying to show the possibility of implementing this trend. As humanistic-oriented pedagogues, we would like contemporary pedagogical research carried out not only in the university arena, but also in the quiet of classrooms of schools at various levels (and now also platforms for remote teaching), to be research with children, not research on children, teachers, not teacher research. Due to the roles performed, the teacher is not only an educator or tutor, but also a researcher – diagnostician of the school reality, and above all of the students themselves, their abilities and potentials, often deficits.

Inclusion of the respondents in the research process is a process consisting in the inclusion of the subjects in various ways and at different stages of the research by the researcher into the research project. It is the researcher who includes the subjects, because he/she will be the person who *designs* the research. We do not use words such as "decides" or "chooses" because they determine the decisive role of the researcher, which in turn places the subjects at a lower level in the decision-making process about planning and conducting research. Practice shows that the main initiator of research is a researcher who, for various reasons, undertakes such and no other research challenge. But the role of the respondents in the later stages of the study will be determined by various factors. Among other things, it will be a research paradigm that helps in choosing a research strategy. In qualitative methodology, the researcher has two choices (Toma, 2000).

One of them is the way of ensuring the greatest possible objectivity of research, and thus – avoiding including the subjects in the research process. The second is the one that presents a more subjective view of the reality under study, i.e. taking into account the perspective of the respondents. This justifies the work of subjective researchers, i.e. those who decide to be with the respondents and present their point of view. First of all, it is the belief that the subjects are closely related to the studied phenomenon, and thus the researchers are related to the subjects. Due to the attitude, "subjective researchers make more active choices independent of norms in the social sciences" (Toma, 2000, p. 177).

There are two significant terms in the above statement: the researcher's way of looking at the reality under study and their *active choice.* The first term is a reference to the research paradigm, which will be described in more detail later in the article, the second characterizes participating qualitative research, which requires the researcher to focus on individual ideas of the respondents and to share power in relations with them as an effect of democratization (Karanieli-Miller et al., 2008). Active choices will be presented in this text as involving respondents in the research process through inclusive methods of data collection and analysis.

In the text, we repeatedly use the phrase research process, which consists of research stages, which we will try to justify in the context of the respondents' inclusions. A research designing research – its professional competences, permanent personality dispositions and attributes, formed situational and constituting in communication relations with the respondents, are important for understanding the term quoted here, "research stages", because "they interact with the technical trajectory of research and create a dynamic structure of 'reflection-in-action'" (Usher, Bryant, Johnstone, 2001, p. 17).

Evolution of research paradigms taking into account the place of respondents in research

Due to the practical nature of this text and its addressees – practicing researchers – we allow only a brief outline of the history of the development of research paradigms in social sciences based on the concept of Yvonne S. Lincoln and Egon G. Guba (2010, pp. 286–289), and new paradigms of native researchers. This short presentation will emphasize those features of specific paradigms that are important for the purpose of this article, therefore we will refer to the authors who develop these attributes in their own research.

Jerry W. Willis explains that a research paradigm is "a comprehensive belief system, worldview, or foundation guiding research and practice in a given field" (2007, p. 8).
Moving on to the presentation of the so-called traditional paradigms, it should be pointed out that they are consistent with the development of social sciences, which initially took the natural sciences and the dominant principles of knowledge as their model. Due to the purpose of this article, we will try to present those issues characterizing a given paradigm, which are related to the place of the respondents in research conducted with a given paradigm.

The paradigms tilting towards the respondents are critical theory, constructivism, and participation (Lincoln, Guba, 2010). In the paradigm of critical theory, however, it is the researcher's attitude towards an adequate understanding of the respondents and showing the "truth" (how a given issue is understood by the respondents), that is a pro-inclusion element. The person conducting the research acts as a spokesman and activist for the respondents, however, the mere inclination over cultural and ethnic values, etc. requires the subject treatment of the respondents, which will guarantee obtaining rich data.

Constructivism, assuming an accurate reconstruction of reality through understanding the meanings (constructs) that are assigned to specific phenomena, should be based on genuine cooperation with the subjects. Only such an attitude and including them in the research process, will give the opportunity to learn a single, objective reality, unchanged by the idiosyncratic nature of the respondents and the researcher, reality closely related to the perception, beliefs, individual stories and characteristics of the respondents, participants, and the researcher (Manning, 2000, p. 139). The goal of this paradigm is to minimize the distance between the researcher and the respondents (Van Maanen, 1979). Kathleen Manning, writing about the relationship between the researcher and the researched as an axiom of constructivism, notes that they are

> interactive and inseparable (monistic, subjectivist epistemology). This goal confirms that the research and the respondents are internally related to each other in such a way that the researcher is influenced by the researcher's actions and vice versa. The presence of the researcher as part of the context in which the research takes place influences the people observed and their actions. Discoveries are a process of investigation rather than a reality that exists in the absence of the researcher. (Manning, 2000, pp. 139–140)

The paradigm that most emphasizes the inclusion of the respondents in the research process is participation. The interchangeable roles of the researcher and the subject – the cognizer and the cognizant prove it best. The subjective reality that the researcher learns is subjective-objective and possible to investigate only thanks to the mutual cooperation of research entities. The participatory approach is not a "cosmetic patch" to make the research look good in the opinion of the institution (Chambers, 1994) (especially when conducted with people of lower social status), but a genuine sharing of the researcher's "power" (Karanieli-Miller, Sterier, Pessach, 2008). Participatory research is one in which the researcher is led by the subjects around their world, in which research problems are those that subjects grapple with and indicate them themselves, it is a paradigmatic shift from "things to people" (Chambers, 1994). The respondents have their own contribution to the research at every stage – from planning to the research report.

It is also worth pointing to the postcolonial-indigenous paradigm, which is the result of critical theory, constructivism, and participation (Chilisa, 2012, Kubinowski, 2015). It emphasizes research carried out in local communities where indigenous knowledge is a way of reaching and understanding respondents. This paradigm indicates the existence of a community of experiences between the researcher and the respondents, which justifies the researcher to undertake such and no other studies. This guarantees ethical treatment of the respondents and their inclusion in the research process. It is worth paying attention to an important paradox – this paradigm excludes some researchers from learning about certain phenomena, which they are not participants and will never be emic, because they do not belong to a given minority, worldview, race, etc.

Among the new, native paradigms emphasizing the inclusion of respondents in the research process, two will be described – synergic-participatory (Kubinowski, 2010) and subject-participatory. The very name of the first one emphasizes two important pillars – cooperation and interaction (synergy), and participation. This paradigm, which has its source in humanistic-oriented pedagogy, is closely related to the participation of the researcher in the life of the respondents, but also of the researched in the research process. This is a condition for synergy – a significant added value that will bring the researcher relevant and rich data. The researcher assumes – as far as possible, taking into account the age of the respondents – equal participation of all study participants in all phases (Kubinowski, 2010).

The last of the presented paradigms has its source in personalistic pedagogy and is based on two elements – the subjective treatment of research participants and the aforementioned synergy (Szymańska, 2018). Treatment of the subjects as subjects is a necessary condition at every stage of the research. It is thanks to it and the participation in the life of the respondents that the synergy of the respondents is a "side effect". The emphasis in this approach is placed on the researcher's genuine commitment to a given problem. This is achieved by the principles of: freedom, equality, truth, subsidiarity, sublimation, prevention, integration, praxis, which are to create community practice by organizing community, universal education, and the development of participation (Szymańska, 2018).

The above-mentioned different ways of knowing in one discipline are the multi-paradigmatic nature. The generation of new paradigms adequate to the currently known phenomena characterizes researchers who want to go beyond the adopted framework of action. The multi-paradigmatic nature can be treated as one of the determinants of dynamism in the methodology of a given discipline (Taylor, Medina, 2013). This dynamism clearly shows the inclusions of the respondents in different ways and at different stages of the research process. The place they occupy in the research has changed from static (cognized object) to dynamic (cognitive and cognized object), in the role of which the decision-making processes taken as the subject of research and even as a researcher's collaborator are inscribed.

Including respondents in the research process through inclusive methods of data collection, research methods, and analysis of the data

When defining the goals and questions of researchers, the researcher should – especially in research that is characterized by participant participation – be cautious and follow the principle of emergence, i.e. an attitude of openness to what emerges from the research situation. It requires constant review of the research situation, the well-being of the respondents and one's own attitude towards the people who inform us (Kubinowski, 2013; 2018). Openness to what is important for the respondents is often required of the researcher already at the stage of searching for people for research, which happens, for example, by means of the snowball selection method or volunteer selection. Here, the researcher entrusts the composition of the future research group to a handful of people who have already been acquired. This requires him to trust the respondents, but also to give an ethical attitude. This is especially about remuneration for the respondents (if it is provided for in the project), which should not be understated when it comes to respondents with a lower social status. Acquiring respondents also means acquiring "gatekeepers" who will open the gates previously closed to researchers – most often for researchers who meet people who have conflicts with the law. Any gain in trust should be based on truth and freedom. It is worth noting that entering the field and sharing trust with the "guards" is also an element of shaping the researcher's reflection on his own attitude and building trust with the respondents (Subramani, 2019).

Conducting research in consultation with the respondents is a process in which the researcher is not only open to tips from informants, but also consults his decisions with them. Of course, this is dictated by the maturity requirements of the respondents. The flexibility of qualitative research makes it possible to change and incorporate new ways of collecting data, which – in accordance with the principle of idiomaticity (Kubinowski, 2013) – are the most appropriate to understanding a given phenomenon. The researcher can find out about this adequacy through discussions with the respondents and openness to their suggestions. They will not be named in the methodological language – such a conceptual apparatus is used by the researcher – but they will be a bottom-up initiative, all the more acceptable to the respondents.

Inclusive methods of data collection are those that assume cooperation with the examined person in order to obtain data. It will certainly be an individual in-depth interview (IDI)[1], focus interview (FGI)[2], open participant observation[3], storytelling[4], narrative interview[5], and an expert interview, including Delphi[6] and visual techniques that allow literally looking at the studied phenomenon through the lens of the subject[7]. In turn, pointing to research methods in which the respondents may act as co-creators of research, these will be biographical research[8], focus research[9], ethnogaphy[10], but most of all – action research[11]. It is worth noting, that the researcher can, and should, negotiate his/her position among the research participants. By getting to know the environment, trying to understand the rules that govern it, and above all – by building trust in relations with respondents, it positions its place in research. Even if the research is not fully participatory, the researcher will be able to change his/her own into

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[1] Individual in-depth interview and a particularly structured qualitative interview (Lichtman, 2006; Kubinowski, 2010).

[2] The focus interview is also described as a group interview (Lisek-Michalska, 2013; Barbour, 2011; Ciechowska, 2018b).

[3] Hidden participating observation contradicts the subjective treatment of the subjects and their conscious inclusion in the research process (Ciesielska, Wolanik Boström, Öhlander, 2012).

[4] The practice of storytelling aims to capture individual, subjective ways of describing phenomena (Boje, Tourani, 2012).

[5] Especially when it is conducted based on the SQUIN technique (*single question aimed at inducing narrative,* see: Bednarz-Łuczewska, Łuczewski, 2012).

[6] In these interviews, it is the expert who can determine the course of the interview (Stempień, Rostocki, 2013).

[7] Photography is one of the most appreciated methods of collecting data (due to the digitization and image), which can be entirely entrusted to the respondents. Visual ethnography grouping techniques with the use of photography, thanks to the use of innovative methods of collecting data, can be used in the understanding of the place where the researcher and the researched are located. Thanks to the tangible evidence, which is photography, the researcher can perceive the examined point of view on the same place, object, situation. Sarah Pink pointed to the role of visual ethnography in creating space and imagination (Pink, 2008). The camera in the hands of the respondents provides the opportunity to obtain research materials and then discuss the reality captured on it with the researcher in the course of an interview with the interpretation of photographs (this and other techniques are described in more detail in: Nowotniak, 2012).

[8] It is the subjects who "let" the researcher into their lives by creating narratives (Bednarz-Łuczewska, Łuczewski, 2012).

[9] The name already indicates focus – focusing a group of respondents on a given problem. The moderator conducting the discussion does not stick to the script rigidly, but is open to its modifications. It can also involve the respondents in creating a research tool (Ciechowska, 2018b).

[10] With its modern varieties – the mentioned visual and virtual ethnography. Collaborative autoethnography is also conducted in cooperation with the respondents (Ciechowska, 2018a).

[11] Contemporary, numerous varieties of action research (among others AR, PAR, YPAR, CPAR, EAR) and the idea of *democracy in action* indicate the possibility of inclusion of the respondents in each of their environments – which is natural for them (Góral, Jałocha, Mazurkiewicz, Zawadzki, 2019).

an *inbetweener*, i.e. someone who is between an external observer and a natural participant in the phenomenon, through inclusive methods of collecting data (Milligan, 2014).

On the basis of the action research practice, the researchers deduced five possible levels of participation in the research (Graça, Gonçalves, Martins, 2018). It is worth noting, however, that they can also be successfully used in other methods. They will be listed below in order of the most "inclusive":

- egalitarian – research participants become researchers. An example of such research can be "The Morris Justice Project", in which the respondents, together with researchers, developed research tools and conducted research on difficult relations between the community and the police.
- co-participating – project participants take an active part in the research decisions made – these decisions may relate to various stages of the research – tool selection, its construction, inclusion in data analysis, etc. (Kusztal 2018).
- cooperative – research participants collaborate with the researcher, but not as researchers – an example can be the research of Marija Swantz in Tanzania, who gained the trust of the respondents – members of the African tribe thanks to adoption by the Shaman. The Finnish researcher managed to establish cooperation with the respondents (Swantz, 2008);
- consultation – the respondents want to be informed and consulted on the activities of the researcher – this is one of the most common type of research, which allows for high flexibility in the line of cooperation between the researcher and the researched, offers wide opportunities for building trust while maintaining by the researcher decisions regarding what to do next. An example may be the emancipatory project of Elżbieta Wołodźko on the autonomy of students involved in instrumental, neoliberal discourse of a contemporary university in Poland and the possibility of changes in university management (2013).
- informative – participants are informed about the course of the project. This method assumes the lowest degree of participation of the respondents. Any open research, in which the researcher does not intend to inform the subjects more widely and include them in the research process, meets this requirement.

Constructing qualitative research tools is a process that often results in their multiple changes based on the tips received from the respondents, as well as the researcher's expanding knowledge about the studied phenomenon. In the final report, researchers conducting several IDI, FGI or observations indicate changes that took place in the construction of the tool. A good practice, especially in the study of excluded people or minorities, are the recommendations of the HRIA (Human Right

Impact Assessment) that questions/issues, especially about IDI as an individual technique, are first consulted with non-governmental organizations, which, as grass-root initiatives, are closer to the respondents, than with, e.g., experts (Walker, 2019). A researcher who knows the environment of the respondents perfectly and can say that without preliminary consultations a research tool is ready for use is a researcher immersed in the current of life, who takes participatory paradigms or the autochthonous paradigm as a reference point.

The stage of data analysis and interpretation was for many years reserved only for the researcher due to the assigned status. Meanwhile, communication validation is gaining more and more attention (Szmidt, Modrzejewska-Świgulska, 2014, pp. 235–256), which allows for an active role of the respondents also at this stage. It is a method that actively involves the respondents, while giving the researcher a feeling of certainty that he has understood the respondents well. Validation can be carried out in two ways (Seale, 1999, p. 62): the strong version assumes sending the respondents a research report (in which the analysis and interpretation by the researcher has already been made) and the weak version, in which the researcher sends transcripts of interviews, observation notes, etc. asking respondents to respond to the content contained therein. Undoubtedly, this is not only one of the ways to ensure quality in qualitative researcher, but also in the inclusions of the respondents. Moreover, they even have the right at this stage to withdraw some of their own narratives and even withdraw consent in research. This is not a pleasant situation for the researcher, but it gives some light on what results in giving the subjects some power in a research project. However, it is worth paying attention to the fact that such a right is most often used by respondents who, during the research, raised intimate issues or details that are not convenient for them, and this was dictated by trust in the researcher and the comfortable situation of the study.

After some time passes, emotions and the way of looking at a given situation may change, and when reading a transcript or a report containing this content, they will want to remove it. This option will also be wanted by respondents who have conflicts with the law or the assessment of their own narrative may be distributed by the use of psychoactive substances. Despite this, researchers decide to limit their own rights as the author of the research, deciding to include the subjects and make far-reaching changes to their own research vision. This is dictated by the idea of giving the voice to the respondents and striving to understand the studied phenomenon.

The possibilities of including the respondents presented here place them not only in the position of a researcher's collaborator, but – with a view to communicate validation – also of the co-author of the research report.

Consent to participate in research – methodological dilemmas and legal conditions

The key issue in conducting scientific research, but also research in the process of school education, is the consent of the participation to undergo the study. It can be expressed in any form: oral or implicit (for example, by taking part in research), it can also be (for evidence purposes) expressed in writing. With regard to children (a person under the age of 18 is under the Polish Civic Code – a minor), such consent is expressed by parents or legal guardians (Kusztal, 2018). The consent must be informed and voluntary, the research participant has the right to be fully informed about the purpose, course and results of the research[12]. In pedagogical or psychological research, where the participants are children, depending on their age and with the parents' right to decide on the participation of their children in the research process, it is practiced to obtain consent from the children themselves in a form adapted to their developmental properties and perceptual skills, while the researcher is solely responsible for obtaining the consent, and s/he is the one that documents the correctness of the research process (the already mentioned *audit trial*).

According to the Code of Ethics for a Researcher of the Polish Academy of Sciences (PAN 2016), the responsibility of the researcher towards research objects occupies a special place among the universal principles and ethical values in scientific work. Research on a living creature may be conducted only when it is necessary and always with respect to human dignity and animal rights, on the basis of the consent expressed by the relevant bioethical committees (point 8, chapter 2 of the Code), moreover, among good practices in the field of research procedures, the code mentions the principle that "in the case of research on humans, human dignity and autonomy must be respected" (point 3.2. of the Code). According to the provisions of the Code:

> each research unit should, if necessary, supplement them (good practices described in the Code of Ethics of a Researcher of the Polish Academy of Sciences) in accordance with its legal requirements or traditions, thus creating its own set of good practices and requiring their application from their employees. (PAN, 2016, p. 9)

The ethics committee or other body responsible for the protection of the standards of scientific integrity is responsible for the implementation of this obligation at

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[12] In practice, the declarations – consent forms for trials, especially in the area of clinical trials, often contain the following text "(…) I declare that I have read and understood the information regarding the described clinical trial and that I have received comprehensive, satisfactory answers to the questions asked. I agree to participate in this clinical trial and I am aware of the fact that I can withdraw my consent to participate in the further part of the clinical trial at any time without giving any reason (…)", see Annex no. 2 to the Regulations of the Bioethics Committee, http://www.sarcoma.pl/badania-kliniczne/swiadoma-zgoda-uczestnika-badania-klinicznego/, access: 17.02.2021

the university or scientific-research institution. Such committees or other collegial bodies may function at faculties in universities or colleges, at institutes, they also have an inter-faculty or inter-institutional character, and generally, among the objectives of their operation may be to help the university community "in resolving ethical dilemmas related to designing and conducting scientific research (…) with the participation of people" (Regulations of the Committee for Ethics of Scientific Research at the Faculty of Philosophy of the Jagiellonian University, 2019, p. 1).

The issue of personal data protection in scientific research makes sense in this article as long as we assume that in the research conducted, the personal data of participants will be collected and processed at all (even only in the research report). After all, there are studies (e.g. surveys in the form of structured interviews) where information such as: name and surname, date of birth, place of residence or information about the health condition will not be needed[13]. In general, Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of individuals with regard to the processing personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR) does not apply to processing anonymous information for the purpose of research.

If we assume that we will use personal data in the research process at any stage, the legal basis itself must be taken into account, which allows us to collect and process personal data. Information such as: biometric data, health data, data on worldview, sexual orientation belong to the so-called sensitive data. The rule is that such data should not be processed in accordance with the GDPR, but in pedagogical research the situation described in art. 9 par. 2., among others, lit. j., when processing is necessary for scientific research, for historical or statistical research purposes or for archiving purposes in the public interest. These data must be proportionate to these purposes and "they must not violate the essence of the right to data protection and, in connection with their processing, appropriate, specific measures to protect the fundamental rights and interests of the data subject must be provided for" (Kałużyńska-Jasak and Noga-Bogomilska, 2019, p. 1).

A person (e.g. a teacher, researcher) or institution (e.g. a school, university, research institute), i.e. an entity processing personal data, is obliged to inform participants about the purpose of data processing, and the rights of data subjects (art. 13 and 14 of the GDPR). An interesting issue seems to be when the purpose of processing is

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[13] The category of personal data falls under art. 4 point 1 of the GDPR "information on an identified or identifiable natural person ("data subject"); an identifiable natural person is a person who can be directly or indirectly identified, in particular on the basis of an identified such as name and surname, identification number, location data, Internet identifier or one or more specific physical, psychological, genetic, mental factors, the economic, cultural or social identity of a natural person".

scientific research, and then a new goal appears – for example, the publication of research results. Then the obligation to inform about the processing other than the original purpose is also borne by the researcher (the person or institution processing the data). However, if informing the respondent in the research process is impossible or would require a disproportionate effort, the information obligation towards the respondent may be waived (cg. art. 14 par. 5 lit. b of the GDPR). The protection of the rights of the respondents may then be implemented by making publicly available information about the purpose of the research (for example on the website of the university or research institute), because the controller is obliged to take appropriate measures to protect the rights and freedoms and legitimate interests of the data subject (art. 14 par 4 lit. b of the GDPR).

The data controller (school, University, research institute) is obliged to protect them in order to maintain their confidentiality, which means that data is processed in such a way that only authorized persons have access to it. Art. 89 of the GDPR requires that the rights and freedoms of data subjects be secured. This is achieved through technical and organizational safeguards, the principle of minimization (i.e. collecting and processing only necessary data), pseudonymisation (e.g. coding) and safe storage. If the researcher is an employee of a given institution (school, university, research institute), then it is not necessary to additionally authorize the researcher to process the data of the respondents.

However, if the researcher is carried out by an external entity (e.g. on commission), then the contract for entrusting the processing of data obtained in the research process is required (art. 28 of the GDPR). Conducting research based on the principle of including respondents in the research process is a tendency today visible in the methodology of social research, and the law provides tools for the protection of research participants in the research process. In the case of surveyed minors, the researcher is obliged to observe legal standards both in relation to the child himself and his parent, who, as the legal representative, submits legally effective declarations on behalf of the child.

Threats arising from the inclusions of the subjects into the research process

The presented possibilities of the subject's inclusion in the research process, despite many benefits, are not free from limitations. One of them will certainly be the extension of the research time due to the need to focus on the ideas of the respondents and analyse their impact on the course of the research. Despite the significant role of the subject, the researcher will be responsible, for example, for exposing subjects to any risk.

Longer research time may have a positive effect on the abundance of the collected data, at the same time affecting the relations between the researcher and the respondents, who may be accompanied by various emotions. Anderson points out that the contacts between the subjects are on the continuum of emotional relations, of which extreme aspects do not lead to research success. They are rejection and excessive familiarity, and even intimate relationships (Lofland et al., 2006).

While hoping to include subjects, the researcher must also be aware of the distortions that may accompany the data they produce. While the issue of subjectivism has already been clarified (it is not an obstacle here, but a research dimension; it is pointed out that a feature of qualitative research is intersubjectivism, Kubinowski, 2013), various cognitive processes of the respondents may distort the data.

The concept of the totalitarian ego assumes that human cognitive processes are subjected to processes similar to those characteristic of propaganda. Thus, personal history is unconsciously manipulated (revised and prefabricated) to be in effect in line with the ego's cognitive system (Greenwald, 1980). The author distinguishes three cognitive distortions – egocentrism, the illusion of positive effects, and the conservatism of the cognizers. As a result, the researcher, after interviewing the respondent who remembers the times of the first half of the 20th century, may have the impression that he is the protagonist of the film "How I Unleashed World War II". In addition, the subjects are also subject to cognitive automatisms (Lazaric, 2012). As participants of events, they do not distance themselves from them, nor do they need to have an analytical attitude towards it, which may result in unconscious evaluation or biased processing of information, especially about themselves (self-valorisation) or about people close to us. The role of cognitive mechanisms securing self-esteem (Schultze et.al., 2012) results in a well-known phenomenon in everyday life: success has many fathers, while failure is an orphan.

Possibilities of coping with threats resulting from inclusions of the researched in the research process

How can the researcher deal with difficulties in including the researched in the research process at the stage of collecting, analyzing and interpreting the research material? Legal and ethical difficulties are inherent in the research process. While in the case of legal difficulties the answer is certain and precise, in the case of ethical dilemmas it is much more difficult to indicate unambiguous ways of proceeding. Hence, the terminology used here – ethical dilemmas and legal conditions, seems justified.

Universal and general law is mandatory law for all entities with legal capacity, and the ethical codes of research workers are norms applied only to a specific category of legal entities (in this case – scientists).

Therefore, conducting scientific research requires the qualified knowledge of legal provisions or providing professional legal services, especially needed in such matters as, for example, gaining the informed consent to participate in research or ensuring the protection of personal data obtained in research. This enables to guarantee the high methodological criteria in the conduct of research.

As far as ethical dilemmas are concerned, it is difficult to indicate universal solutions. This results from the cultural, social, religious, and political contexts, in which the research is conducted, and the possibility of new research problems emerging in the course of research, the solution of which was not previously the goal of social scientists. What can serve as a signpost here? The previously described professional codes may, to some extent, explain the ethical dilemmas, however, most often they are general recommendations, such as, for example, *Universal principles and ethical values in scientific work* (PAN, 2016, p. 6) or *Practices in research procedures* (PAN, 2016, p. 8). In research studies burdened with such difficulties, it is best to rely on the experience of other researchers, hence, the creation of research teams (including interdisciplinary ones) and the use of peer supervision may be a solution.

It is difficult to talk about specific methods of detecting and minimizing the risk associated with cognitive distortions of the researched. The researcher does not play the role of a court expert or investigative judge, and his task is not to “track a lie”. The researcher treats the respondents as a source of data. If qualitative research is perceived as a dialogue, then even the issues of lying in the respondents are secondary, assuming that "all messages constitute a kind of subjective constructions of reality" (Kubinowski, 2010, p. 214). Moreover, the epistemology of qualitative research and above described paradigms (especially interpretative and constructivist), which constitute the researcher's “philosophy”, somehow exclude focusing on such an analysis that exclude any distortion of reality by the researched (Randall, 2009).

Nevertheless, when these distortions are dominant in the course of the study and the researcher notices that including such relations in the report will be a distortion of reality, it is always worth paying attention to the reader in the report. To obtain a broader perspective and minimize the risk of distortion, it is worth expanding the research group or applying triangulation of techniques, sources or informants. In addition, a qualitative researcher analyzes and interprets data, in which he does not have to rely on himself, but can use peer consultations or the method of competent judges (Creswell, 2013, p. 208).

Can the researcher somehow authenticate the information he received? In qualitative research, which should be based on mutual trust, this will be difficult, but not impossible. Examples include the elements of quality assurance in qualitative research and the reconstruction of the so-called “audit trail” (Cisek, 2014), which can also play a significant role here. They will have a significant share, especially in the study of events that the researcher is not able to observe by himself and must rely only on the narratives of the respondents

Conclusions

The aim of this article was to define the methodological and legal conditions of the process of including research participants in pedagogical qualitative research. The article is of a theoretical and practical nature, as it can provide inspiration and practical guidelines for planning and conducting qualitative research with active participation of the subjects. Methodological, ethical and legal standards of such research ensure not only the reliability of the research process, but also guarantee that we do not violate the rights and freedoms of human beings who must remain the object and not the subject of scientific research.

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