

## Creative Nonfiction and the Academy: A Cautionary Tale

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*Since their inception, institutional review boards (IRBs), which use a biomedical model with which to evaluate cases, have continued to extend their reach, increasingly of late into the humanities. Although most humanists in the academy are probably not even aware of its existence, their local IRB could step in and demand that a writer's project, if it involves the broadly defined human-subject research, be vetted through the board before approval be granted to proceed. Should the IRB determine that a writer has breached IRB protocol, the board has the authority to do what it will with the work, including attempting to stop its publication. Before such institutionalized oversight is allowed to continue to expand, much more work has to be done to assure that the process can be justly and rightly applied to the range of fields IRBs aspire to regulate.*

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One day last year in early May, my second teaching in the creative writing program at the University of Illinois, I received a phone call from the executive officer of the university's institutional review board (IRB) requesting a meeting. It would take only about an hour, he told me, and I was welcomed to invite my department head to attend. I was not quite sure what the IRB was or what they could want with me, and during finals week, I did not have a lot of spare time. But in such things, untenured faculty members cannot really say no. I told him, sure, and asked what the meeting concerned.

He responded that it was in regard to an article I had written that was accepted for publication in *The Kenyon Review*. His tone, although professional, made it clear that the call was not congratulatory. When I pushed for clarification, he informed me that the article had been brought to his attention from a source he would not name, and that there were concerns about its appropriateness for publication.

I got the full elaboration from my department head, with whom he had already been wrangling. I was being brought before the IRB for "bad research practices" and "unethical behavior" in the writing of *The Kenyon Review* piece—what the IRB had called an article but what was in fact a personal

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essay: creative nonfiction (CNF). My department head assured me that he and three senior faculty members he had consulted were protesting the charges. Still, the IRB executive officer had apparently determined my guilt and what he deemed to be the only appropriate course of action: I would have to withdraw the essay from the journal or have the university's legal counsel intercede to have it withdrawn.

Although it was not clear to me what, in my case, constituted "research" or what defined the "human-subjects" against whom I had behaved unethically, the IRB, I quickly learned, had the authority to do what it threatened. Instituted 50 years ago, IRBs came into being to protect human-subjects who volunteered to take part in biomedical research. Given the long history of scientific researchers, even practitioners of the "noble profession," overstepping their bounds (the Tuskegee syphilis experiments come immediately to mind), formalized human-subject protection was, and remains, fundamental and essential. But since their inception, IRBs, which use a biomedical model with which to evaluate cases, have continued to extend their reach, increasingly of late into the humanities, including into creative writing. Although most writers in the academy are probably not even aware of its existence, their local IRB could step in and demand that the writer's project, if it involves the broadly defined *human-subject research*, be vetted through the board before approval be granted to proceed.

I am not a journalist. I am not even, technically speaking, a scholar, although some of my work involves scholarship and research. I am a writer of prose narrative, both fiction and CNF—that burgeoning, if still developing, genre that combines elements of fiction writing with nonfiction narrative. *The Kenyon Review* essay—in no way a scholarly article or journalism—describes my experience teaching a CNF class in which a student writes about taking part in a serious crime as a youth, while part of a gang: a carjacking that resulted in murder. The essay raises questions about race and youth culture and also interrogates the definition of the CNF genre; it is intended to be provocative. And it subscribes to the definition of CNF commonly accepted by the field—what Lee Gutkind (2001) defined as, "writing nonfiction using literary techniques such as scene, dialogue, description, allowing the personal point of view and voice rather than maintaining the sham of objectivity" (p. 173).

This essay was sent to the board's attention as the result of an academic "vendetta" of sorts. The directorship of the university's African American Studies and Research Program (AASRP), in which I held a joint-appointment, changed at the beginning of my second year; during the course of that spring semester, the new director, a historian by training, began to systematically harass me. The motives for his attack are unclear. I could only speculate why he decided to harass and then attack me, an untenured junior faculty member in his unit, so I will not do that here. Whatever the motivation, he took a copy of my essay, which I had included in my mandatory annual review materials,

and faxed it to the IRB as something they might be interested in seeing. At no time before contacting the IRB had the AASRP director expressed to me any concern about the piece. Although an unethical violation of procedure on his part—undermining a review process meant to assess junior faculty and to help them develop toward tenure—his act proved to be the ideal weapon to employ to attack me.

Therein lay the real threat of our IRB: With no tradition of IRB oversight of the humanities and not a single humanist on the board, much less someone with experience in CNF, there was no safeguard to assure that charges leveled against me were justifiable and not merely motivated by malicious intentions. The IRB's executive officer, who has discretion to circulate complaints to the entire board or to act unilaterally, decided on the latter in my case. He did not include the rest of the IRB members in the process, neither did he consult appropriate outside authorities about the conventions of the CNF genre. He involved senior English Department colleagues only after he had already made his judgment. And despite the protests of the English Department about the lack of due process and the shortcomings of his reading of my work, the executive officer, in the name of the IRB, determined to drive forward with his conclusions.

Now, while all of this was happening, I was blissfully unaware, going about the business of finishing up the semester and the academic year and preparing my promotion papers. My annual review in English had been very successful, and colleagues in the department had nominated me for early tenure. Although I was not so naïve as to imagine that the director of AASRP would support my tenure case, I had no idea that he had a problem with my essay or that he had turned it in. Publication in *The Kenyon Review*, one of the premier literary journals, would, I well knew, strengthen my promotion dossier. It was at about this time that I received the Monday morning phone call, my first official notice that I was the subject of IRB scrutiny.

I was being charged, on one hand, with "bad research practices" for writing about a student without having attained his prior written consent—a requirement of the biomedical model of IRB oversight—and on the other, with "unethical behavior" for failing to report that student for the crime that he had alleged to have committed. How, precisely, I practiced bad research is beyond me as I had not, in fact, conducted "research" at all. I wrote a personal essay—a piece of CNF narrative—about a complex of societal and personal observations dealing with race, class, and pedagogy. In the essay, my experience with the student prompts the reflection and drives the narrative.

It is true that I did not seek out the student's prior written consent. At the time of the class in question, I had no idea I would write about it nor, had I known, did I suspect that I would need his consent to do so. However, I had in fact gone to great lengths to protect him and his identity—which is the motive for requiring consent—this, even as the events I would eventually write about were taking place.

My “unethical behavior” was the result of this concern and of my subsequent inaction. When mention of a crime came into play, I did not push for a confession or report the student to the police. This, apparently, was my failing, according to the IRB.

But the IRB’s reasoning was misguided and ill informed. The executive officer assumed that what he had read was fact. In reality, it was CNF—all true but informed by omission as much as inclusion and shaped for dramatic purposes, not scholarly exegesis. The notion of “inventing the truth” had been a central theme of interrogation of my class; what my student had described in his essay may have been true or not—I did not know then and do not still. So although my decision to not push for a confession might elicit moral questions—indeed, I reflect on this very issue in the essay—it does not raise professional ethical ones. I am a writing teacher, not a police officer.

Supportive and united colleagues in English—who militated to the dean, to the chancellor, and to the provost—and stalwart representation by the campus American Association of University Professors confronted the IRB on my behalf. I do not know who on high said what to whom, but the fate of my essay—that it would be left alone—had been determined even before the scheduled meeting at which I was to defend it. My essay appeared in the fall and was a finalist for the Donald Murray Prize from the National Council of Teachers of English. It was part of my successful early-tenure promotion papers, a dossier for which I have been awarded a prestigious university prize. All is well that ends well, right?

Well, not quite. Beyond the bitter taste left in my mouth from having endured the experience, the university also suffered repercussions. I left AASRP, which was surely the director’s aim, but with me, so too did the other English Department faculty who had been affiliated with the program, outraged at how I had been treated. The University of Illinois’s African American studies program has the dubious distinction of being one in which there is no representation of literary scholarship or creative writing. Relations between the two units seem irreparably damaged, and a feeling of mistrust has been created between the ethnic studies programs, broadly, and the English Department.

Beyond my personal malaise and our campuswide loss, my case brings to light larger questions about the hazards of IRBs. IRBs have fired a shot across our bow, alerting the humanities to beware. Clearly and unequivocally, IRBs have their place in the academy. But over every discipline? If so, can the same model of oversight as is used for research in the biomedical sphere be applied to what I do? Where the hard sciences concern themselves with the practical applications of the black and white, CNF, by its very definition, exists in the blurry spaces in between. What, in a case such as mine, constitutes “research”? Indeed, what is a “human-subject”? And without having clearly defined these terms, can we assess what is “harm”? Before any such institutionalized oversight is allowed to be asserted over disciplines outside

those that rely on traditional notions of human-subject research, much more work has to be done to assure that the process can be justly and rightly applied to the range of fields IRBs aspire to regulate.

And who is watching the watchers? At a groundbreaking initiative, held this spring here at the University of Illinois and addressing these very questions, more of the IRB representatives present than not took offense at the mere suggestion that their work might be unfair or in some cases, superfluous. Our own IRB's executive officer did not even deign to show up.

Until a national, inclusive dialogue is opened, until fair and measured systems of oversight are agreed on for the various disciplines, IRBs have no place attempting to assert any authority over the humanities.

## REFERENCE

Gutkind, L. (2001). Becoming the godfather of creative nonfiction. In C. Forché & P. Gerard (Eds.), *Writing creative nonfiction: Instruction and insights for the teachers of the associated writing programs* (p. 173). Cincinnati, OH: Story Press.

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