

**Debating the ethics in research with human beings by means of a  
simulated jury:  
experience report**

*Debatendo a ética na pesquisa com seres humanos por meio de um júri  
simulado:  
relato de experiência*

*Debate la ética en la investigación con seres humanos por medio de un jurado  
simulado:  
relato de experiencia*

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**Abstract:** The present study aims at showing a debate concerning Ethics in research with human beings by means of a simulated jury. The activity was carried out with academics from the Psychology Course of a private institution of higher education, located in the city of Santa Maria-RS. Firstly, the students were theoretically instructed with an expository class that approached the Ethics in the research with human beings. After the theorizing stage, students were invited to watch “The Experience” (2001). A class of 23 students was divided according to the specific functions of each member of a trial to carry out the activity. The students' arguments were related to the relationship between theory and practice, as well as ethical posture, creativity and exposure of the critical sense. It is concluded that the simulated jury allows the argumentation in the context of the classroom, it being considered an important and innovative didactic resource to promote meaningful learning.

**Keywords:** Active methodology. Simulated jury. Ethics in research.

**Resumo:** O presente estudo visa apresentar um debate sobre a ética na pesquisa com seres humanos por meio de um júri simulado. A atividade foi realizada com acadêmicos do curso de Psicologia de uma instituição privada de ensino superior localizada na cidade de Santa Maria-RS. Primeiramente os alunos foram instruídos teoricamente com uma aula expositiva que abordou a ética na pesquisa com seres humanos. Após a etapa da teorização foi proposto aos alunos que assistissem ao filme “A Experiência” (2001). Uma turma de 23 alunos foi dividida de acordo com as funções específicas de cada integrante de um julgamento para realização da atividade. Constatou-se nas argumentações dos alunos a relação da teoria com a prática, como também a postura ética, criatividade e a exposição do senso crítico. Conclui-se que o Júri simulado possibilita a argumentação no contexto da sala de aula, sendo considerado um recurso didático importante e inovador para promover aprendizagens significativas.

**Palavras-chave:** Metodologia ativa. Júri simulado. Ética na pesquisa.

**Resumen:** El presente estudio pretende presentar un debate sobre la ética en la investigación con seres humanos a través de un jurado simulado. La actividad fue realizada con académicos del curso de Psicología de una institución privada de enseñanza superior ubicada en la ciudad de Santa Maria-RS. Primero los alumnos fueron instruidos teóricamente con una clase expositiva que abordó la ética en la investigación con seres humanos. Después de la etapa de la teorización fue propuesto a los alumnos que asistieran a la película “La Experiencia” (2001). Una clase de 23 alumnos fue dividida de acuerdo con las funciones específicas de cada integrante de un juicio para la realización de la actividad. Se constató en las argumentaciones de los alumnos la relación de la teoría con la práctica, así como la postura ética, la creatividad y la exposición del sentido crítico. Se concluye que el Jurado simulado posibilita la argumentación en el contexto del aula, siendo considerado un recurso didáctico importante e innovador para promover aprendizajes significativos.

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*Palabras clave:* Metodología activa. Jurado simulado. Ética en la investigación.

## Introduction

Nowadays, when reflecting about the teaching perspective in superior education, different work lines (evaluation process, methodologies, curriculum etc.) have been discussed and put into practice in the several areas of knowledge as a review of the teachers' practice still very common in graduation courses: the one based on the idea of teachers as the only active participants in the classroom; the one who keeps knowledge and must transmit that to students in a linear way, rooted mainly in texts and excessively expository theoretical lessons (VEIGA; FONSECA, 2018).

Carlini (2006) and Kalatzis (2008) highlight the need of overcoming traditional teaching and learning practices specially in superior education because, facing the new context, they little contribute to the education of professionals to act in the current job Market. One that have demanded more and more professionals who show beyond scientific knowledge, appropriate behavior and action, that is, problem-solving capability, effective communication, decision-making, teamwork, independent learning and adequacy to the several situations that are part of the professional routine.

The active methodology, according to Bordenave and Pereira (2007), is an educative conception that stimulates critical-reflexive teaching and learning processes, in which the student participates and is committed to his apprenticeship. The method suggests the creation of teaching situations that promote a critical approximation between the student and reality; the reflection about problems that generate curiosity and challenge; the provision of resources for the problem and solution research; the identification and organization of hypothetical solutions that are more adequate to the situation and the application of those solutions. According to Berbel (2011, p. 29) the active methodologies "are based on ways of developing the process of learning, making use of real or simulated experiences, aiming the conditions of solving, the challenges coming from essential activities of social practice".

The simulated jury, teaching strategy showed here, according to Abepirenses *et al.* (2014), consists of a multidisciplinary activity in which the judiciary court is simulated, and the participants assume the previously established roles. It is a strategy already used for a long time in schools and universities, once it allows divergent issues to be discussed, developing the critical sense in students, as well as the improvement of their skills and competences in relation to their ability of speaking in public, organizing their ideas, their argumentation, and persuasion.

For Anastasiou and Alves (2009), a simulated jury is a simulation in which, from a divergent topic, defense and prosecution arguments are presented to the problem. The group is taken to analysis and evaluation of the fact from objectivity and realism, "to the constructive critics of a situation and to the dynamization of a group to study deeply a real topic" (ANASTASIOU; ALVES, 2009, p. 92). From the considerations, this study aims at

showing a teaching practice making use of active methodologies in superior education, by means of a simulated jury.

## Active methodologies in teaching

The teaching and learning active methodologies as for Cotta *et al.* (2012, p. 788), are based on

teaching strategies based on the critical-reflexive pedagogical conception, which allows an understanding and an intervention in reality, favoring the interaction among the diverse actors and valuing the collective construction of knowledge and its several skills and learning contexts (own translation).

According to Borges and Alencar (2014, p. 119-120), the active methodologies are important resources for the critical and reflexive formation of students with constructive teaching and learning processes that consider the contemporary context of teaching when favoring the students' autonomy and curiosity, in a way of stimulating "individual and collective decision-making, coming from essential activities from social practice and inside the student's context" (own translation).

Moreira and Ribeiro (2016) point that the active methodologies involve students and commit them in the entire apprenticeship process, bringing benefits such as the student prominence, the better grasping of the mediated information, communicational skills, advanced reasoning skills, teamwork, motivation, new resources and respect to the various styles of learning.

According to Barbosa and Moura (2013, p. 2), the active methodologies are the ones that present the following characteristics:

1. Demand and stimulate the student's participation, involving him in all of the human dimensions: sensorial-motor, affective-emotional, mental-cognitive.
2. Respect and stimulate the student's freedom of choice face the studies and activities to be developed, making it possible to consider multiple interests and objectives.
3. Value and support themselves in the knowledge contextualization, endowing a sense of reality and usefulness to the studies and activities developed.
4. Stimulate the group activities, enabling formative contributions of teamwork.
5. Promote the use of multiple cultural, scientific and technological resources that can be provided by the students themselves in the world we live.
6. Promote the competence of socializing knowledge and results obtained in the activities developed (own translation).

The active methodologies as for Berbel (2011) have the potential of arousing curiosity as the students insert themselves in the theorization and bring new elements, ones still not considered in classes or in the own teacher's perspective. When accepted and analyzed the students' contributions, valuing them, there is the stimulation of the senses of involvement, perception of competence and belonging, beyond the persistence in the studies. They are based in ways of developing the process of learning, making use of real or simulated

experiences, looking for the conditions for solving successfully, he challenges coming from the essential activities from social practice, in diverse contexts.

Hereof the given explanation, Mitre *et al.* (2008) points that the active methodologies use the problematization as a teaching/learning strategy, with the objective of stimulating the student to reflect and act, because when facing the problem, he focuses, examines, reflects, relates his story and starts giving new meaning to his findings. Yet, for the authors, the problematization can lead the student to the contact with information and the production of knowledge, with the aim of solving the deadlocks and promoting their own development. Learning with problematization and/or problem resolutions in their area is, therefore, one of the possibilities of active involvement of students in their own formation process.

The simulated jury, subject of analysis, here as Anastasiou and Alves (2009), is a reproduction of a situation in which defense and prosecution arguments are presented to the analysis of a problem. This strategy involves a considering group of students in its organization. The roles' distribution is done by analogy to the criminal trial through the following groups: prosecutor, defense, council of judgment and plenary. Therefore, during the activity experience, the other students can also be included as participants.

The strategy of simulated jury considers the possibility of doing many thinking operations, such as: Defense of ideas, argumentation, judgement, decision-making, etc. Its preparation is of intense mobilization, because beyond activating the research for the content per se, the apparatus of another environment (clothing, furniture etc.), they provide the involvement of all for beyond the classroom. The strategy can also be filled with the sense of dramaturgy, what makes the activity interesting for all, apart from the role each one is going to develop in the final act. This strategy involves all moments of the knowledge construction, the mobilization for the synthesis, by its characteristic of allowing the involvement of a great number of students (ANASTASIOU; ALVES, 2009).

## **Experience report**

### *The preparation of the simulated jury*

For the debate and discussion of the ethical issues in scientific research with human beings, the active methodology Simulated Jury was used in classroom. The participants were students from the third semester of a Psychology Course, in a private superior education institution located in Santa Maria-RS. At first, they were theoretically oriented by expository class about the Ethics, especially in research with human beings. This introduced them to the articles of 'Resolution 466/2012' from the Health National Council. The Resolution brings new terms and conditions to be followed in all research including human beings. It approaches the requirements from the Brazilian Ethics Assessment System, composing a system that uses proper mechanisms, tools and instruments of inter-relation that aim at protecting the research participants (BRASIL, 2013).

The World Health Organization (OMS) defines as research with human beings, any activity of social, biomedical, behavioral or epidemiological science that involves systematic collection or analysis of data with the intention of generating new knowledge. To which human beings: a) are exposed to manipulation, intervention, observation or any other interaction with the researchers, be that direct or from any alteration in the environment; b) become individually identifiable by the collection, preparation or use of biological or medical material or of any other note from the researcher (OMS, 2018).

After the theorization in classroom concerning the theme, the students were invited to watch the movie “*A Experiência*” (2001), which shows the process of an experiment with human beings. In the movie, a group of scientists enrolls twenty prisoners for a psychological experience in exchange for a money prize. The prisoners are divided in two groups: eight of them are the guards and the other 12, the inmates. The inmates are isolated in an area of the penitentiary where some rules must be obeyed and maintained by the guards. In the beginning, the mateship takes place. However, the violence does not take long to show up when a former journalist disguised as a prisoner leads a riot. The guards react with a growing brutality. The conflict gets worse with the death of a prisoner and the capture of the scientists who created the project.

### *The organization and realization of the Jury*

The group of 23 students was divided according to the specific roles of each professional and/or part of a judgement: judge, defendants, defense lawyers, prosecution lawyers – prosecutors, witness and jury. After composing the members of a jury, the following question/problem was given to the students: “the researchers who conducted the experiment with human being as shown in the movie “*A Experiência*” met the ethical rules as the CNS 466/2012?” facing the issue given in class, the student had about a week to survey, reflect and organize in their groups (in the case of defense and prosecution lawyers) to elaborate their thesis, so that in the day of the activity they could discuss, witness and present ‘evidences’. In this context, the teacher allows the student place himself as the subject of his apprenticeship, instigating them to look for strategies, research diverse authors to the studied theme to do the activity (FREIRE, 1996).

It is important to point that as for Gadotti (1999) and Freire (2005), the teacher, beyond explicating each step to be done by the student, needs to be present during the entire process of research about the problem. He might forget the traditional role of knowledge keeper to put in practice the dialogue in a horizontal perspective. About this, Ribeiro (2010) highlights that the student assumes an active role in his apprenticeship from the responsibilities exposed by the teacher, and the teacher in its turn, stops being the transmitter and must adopt the place of a facilitator and advisor, mediating the integration of concepts and the skills necessary to the problem resolution.

The activity was done at the ‘*Salão do Júri*’ from the private institution. The simulated jury was conducted by the judge who opened the section showing the problem to

the participants. The defendants (3) represented the researchers who had done the experiment with human beings showed in the movie. The defense lawyers showed arguments pointing the ethical responsibility acted by the researchers, blaming the guards who participated in the experiment as responsible for the inadequate and violent acts during the research. The defense also showed witnesses (those acted by students as people who were in the room of the experiment as cleaners).

The prosecutor presented charges against the defendants trying to condemn them, with coherent arguments, based on the Resolution 466/2012, emphasizing the lack of ethical commitment of the researchers with the participants. The jury responsible for analyzing the facts exposed and, at the end, give the verdict, had accompanied the entire process. Upon that, they voted for the defendants as Guilty, defining the fine. Thereafter the debate of the case, the judge has given the final verdict, and the defendants were condemned for inflicting the directives and the regulatory norms of research involving human beings as the Resolution 466 from December 12<sup>th</sup>, 2012. The respect for human dignity and for the special protection given to participants of scientific research involving human being was not observed in the experiment showed in the movie “*A Experiência*”.

## Results and discussion

In the experience report showed, it was aimed at showing the importance of diversifying the teaching practices in classroom, discussing the relevance of active methodologies by means of a simulated jury. It was observed that during the activity the objectives were achieved once it was possible to verify the students’ development in their argumentation the relation between theory (articles from the Resolution 466/2012) and the practice (movie analysis), and moreover, ethical behavior, creativity, the practice of expression, thinking and exposure of critical sense. Real and Menezes (2007, p. 96) describe the Simulated Jury as a dynamic to stimulate the “dialogued reflection, critical thinking and the exposure and respect to the differences and the decision from solid arguments” (own translation).

Veiga and Fonseca (2018) highlight that the student role stops being a passive agent who receives everything ready from the teacher and starts to participate actively in his learning process. The student instigated by the teacher looks for resources himself, in order to elaborate his arguments and points of view concerning the subject studied, becoming the main agent of the learning process. This path, when done with pleasure, motivation and satisfaction, will allow greater introjection of the content worked. According to Diesel, Marchesan and Martins (2016), the teaching strategies guided by the active method, are mainly characterized by: the student as the center of the process, the promotion of the student’s autonomy, the teacher as a mediator, activator and facilitator of teaching and learning processes, and the stimulation to problematizing reality, continuing reflection and teamwork.

Lascombe *et al.* (2019) points that teachers from different teaching levels should invest in active methodologies in classroom, using movies, series and documentaries as tools of analysis that can help in the students' apprenticeship. The authors also highlight about the importance of innovating the activities and stimulating the students to problematize realities as by means of fiction. These actions allow identifying problem-situations that give the student opportunities to think and reflect, stimulating critical thinking, and lead them to a process of constructing new meanings and knowledge about the reality observed, what is an importance path for a meaningful learning.

On that, it is important to point that beyond providing the apprenticeship inside the classroom, the use of movies as a teaching tool also provides subsidies to the students build and rebuild their subjectivity face the reality observed and analyzed. In a study done by Duarte and Carlesso (2019), the authors highlight the relevance of using movie analysis for the comprehension of the human behavior facing cinematographic situations.

According to Garcia (2015), the cinema favors not only the improvement in relation to the proposition of new way of questioning, which crosses the several areas of knowledge related to culture, allowing them to think about themes like, for example, the comprehension of multiple aspects related to the constitution of subjectivity nowadays.

It is important to consider that the students in formation at any schooling level, from elementary to superior, must be instigated by teachers to problematize, reflect, criticize; and the active methodologies in the classroom environment can offer and improve the field of the students' subjective experience, important factors that can contribute to the processes of individual subjectivation, what brings positive impact in the intellectual aspect.

## Final considerations

The study has showed that the use of a Simulated Jury is an important learning strategy in superior education, capable of promoting transformations in the teaching practice making the classroom more involving for the teacher-student relation, resulting in satisfaction about the teacher performance and improvement in the learning level of students, and, lastly, in the motivation for both involved in the process.

It is worth noting that the teacher from contemporary times needs to go much further than knowing the theoretical content, it is fundamental that he turns the classroom into an innovative learning environment.

The use of a Simulated Jury as a learning strategy in superior education has promoted the students a critical and dialogued reflection about the problem, stimulating the debate of ideas, the discussing, the critical positioning, favoring the ability of expression. And argumentation, and moreover, enabling the decision-making and teamwork. It is observed that the accomplishment of this activity could only happen with the students' active and effective participation, which is the essential part for the development of a jury. Without them, it would not be possible to reach the objectives of the proposed activity, which was to sensitize students about the ethical aspects of scientific research with human beings.

However, it is substantive to highlight the importance of the teacher's role in the planning process of a simulated jury, as for the theme choice, to the organization and to the coordination of the activity, a teaching strategy that demands planning and involvement from the teacher. Hereof, it is interesting to say that the simulated jury as a teaching technique helps the argumentation in the context of a classroom and is considered an important and innovative didactic resource to promote discussions and to develop the argumentative skills of students.

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