

ARTICLE

Interdisciplinary Methodological Approaches to Desk-Based Socio-legal Human Rights Research

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Abstract

As legal study adopts more interdisciplinary approaches and assimilates with other disciplines such as sociology, politics and business, there is a growing need to pay greater attention to the research methods and methodologies from across the academic spectrum. Doing so creates opportunities to borrow and employ methodological techniques and insights from disciplines across the spectrum of the social sciences. In this work I examine how socio-legal methodologies may be informed by approaches within the wider social sciences and explore how borrowed elements such as research ethics, reflexivity, and positionality, can be understood and utilised within interdisciplinary, desk-based, socio-legal research. I do so using the example of a project examining the human rights abuses of pharmaceutical companies. The project sits at the intersection of the fields of human rights (the right to health), socio-legal studies and 'business and human rights' research. It thus serves as a useful example of how those borrowed elements from the wider social sciences can be conceived of and utilised within interdisciplinary, desk-based, socio-legal research. This work may serve as an example to those looking to incorporate a more interdisciplinary approach towards the study of law using methodological techniques found across the social sciences.

Keywords: positionality, reflexivity, socio-legal human rights research, right to health.

1. Introduction

The critical exploration of methodologies and methods is rare within traditional legal scholarship (Brems, 2009, pp. 83-84). As legal study assimilates to a greater extent with other disciplines, the need to pay greater attention to research methodology grows stronger. This is especially the case for human rights studies, which often intimately engages with the lived experiences of individuals. This 'socio-legal' aspect of human rights often also requires an interdisciplinary approach to legal scholarship to engage directly with those elements and actors which exist external to the framework of rights and obligations. One such field is

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that of 'Business and Human Rights' (BHR) research (Bilchitz, 2016; Deva & Bilchitz, 2017; McConnell, 2017). The interdisciplinary nature of this research field provides a considerable impetus for the cross-fertilisation of methods and methodologies.

One such instance where the fields of human rights and business overlap is the pricing practices of pharmaceutical companies which amount to a potential violation of the 'right to health'. The cost of essential medicines such as insulin (Kuchler, 2019) and the EpiPen (Rapaport, 2017) continues to grow exponentially (Ward et al., 2019). Although thousands rely on these medicines for their survival, many drug companies rapidly increase prices far above individual affordability. Families are faced with unthinkable situations such as sending children to school with expired medication (Richardson Voyles, 2016). Those living in socialised systems such as the UK's National Health Service (NHS) see budgets stretched, with increasingly difficult resource allocation decisions being made. This has become prominent amidst the Coronavirus pandemic, with price-gouging becoming a common occurrence (Butler & Wood, 2020; O'Callaghan, 2020). Questions must be asked as to whether these price rises are a violation of the 'right to health' under international human rights law. If so, ways of holding companies accountable for such violations must be sought out. The issues at hand are multifaceted, with complex questions over the composition of rights, battling against yet more complex questions over the attribution of obligations, responsibility and an inherent conflict with profit-driven, corporate decision-making. Addressing these issues thus requires an approach which not only takes into consideration the human rights framework of the right to health but also directly addresses the 'business' element inherent within this problem.

The field of BHR is an emerging field of research within both law and the wider social sciences, with a spectrum of novel methodological approaches reflecting BHR's own novelty. Given the dire circumstances and the impact of pharmaceutical companies on access to medicines, the intersection of BHR with the right to health has also gained considerable attention from across the spectrum of academic disciplines. Within a human rights context, the work of the Committee on Economic, Social and Cultural Rights and the former Special Rapporteur, Paul Hunt, has contributed considerably to this field. Yet, whilst providing unquestionably valuable *substantive* contributions to the field, in both a legal and methodological sense, they do not give insight into *how* research can be undertaken in a critical and ethical manner. It is this work which I hope to begin here. Using the example of research into the relationship between pharmaceutical companies, access to essential medicines and the right to health, I seek to demonstrate how socio-legal human rights research can be informed by methodological approaches within the wider social sciences and explore how borrowed elements from social science research methods, such as research ethics, reflexivity and positionality, can be understood and implemented.

This work is divided into four subsequent sections. Section 2 examines the broad concept of socio-legal research methods, seeking to draw down into a narrower understanding of socio-legal human rights, placed within the context of desk-based research at the intersection of BHR and the right to health. Section 3

seeks to place desk-based, socio-legal human rights within the wider framework of qualitative research. I argue that desk-based, socio-legal human rights research should be considered an extension of qualitative research disciplines, rather than a discrete methodological entity. Using the abovementioned research project as an example, I critically explore how these interdisciplinary insights can be applied to research ethics (Section 4), as well as positionality and reflexivity (Section 5) in the context of desk-based socio-legal human rights research.

2. Understanding Socio-legal Human Rights Research

Socio-legal research is a broad umbrella term, unconfined to a singular method or definition. The term 'socio-legal' derives from the interaction between methodologies within both the legal and sociological research fields. It emerged in response to a perceived inadequacy with contemporary legal methodologies such as the pure 'doctrinal' approach (Cownie & Bradney, 2017, p. 41), stemming from a dissatisfaction with the restrictiveness of traditional approaches (van Klink & Taekema, 2008, p. 2). Many see it as a step towards a greater 'academic' focus, in line with other disciplines, contrasting with classical practice-driven approaches (Cownie & Bradney, 2017, p. 41). Socio-legal research can be seen as law placed in its social context, from which it is indivisible. It is the study of the interactions between the law and the social, historical and economic contexts within which it operates. It is a heterogeneous 'toolbox' (Langford, 2017, p. 165) of methodological possibilities which can be drawn upon to best adapt to the context of the research project. In this way, it represents a multiplicity of approaches that can broadly be understood as 'law in context' (Cownie, 2004, p. 58).

In the context of human rights research, this indivisibility and interdependence are clear. The complex problems presented by international human rights law issues cannot be solved within the traditional boundaries of mono-disciplinary research (Langford, 2017, p. 164). Whilst legally substantiated within international treaties and documents, human rights research derives much of its meaning from its inseparability from human nature and the human condition. People, not laws sit at its heart. They are the 'context' within which analysis must be taken within a socio-legal human rights study.

The interaction of human rights with business practices takes this further. As Buhmann et al. (2018) note, BHR research is inherently interdisciplinary and requires knowledge production to take place through an exchange between disciplines. BHR research demands an approach that goes beyond purely doctrinal legal methods. The majority of initiatives that work towards corporate accountability stem from so-called 'external-drivers' (McBarnet, 2009, p. 5) such as societal pressure and non-governmental organisations (McBarnet, 2009, p. 6). The practical interaction of these groups with human rights norms produces a distinctly socio-legal requirement for the research (Buhmann et al., 2018). This is not surprising, since as Langford notes, human rights research itself 'necessitated the erosion of disciplinary barriers', resulting in 'the spawning of intellectual synergies

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and new approaches to knowledge accumulation' (2017, p. 161). Just as human rights has pushed legal methods forward, so too will BHR.

3. Positioning Desk-Based Socio-legal Human Rights Research Within a Qualitative Research Methods Framework

Socio-legal human rights research engages with a theoretical and analytical framework of legal knowledge and enquiry set in the social context of the research. Whilst arguably distinct in its combination of the legal and social disciplines, the practical element of the research differs little from other qualitative-based areas of research and scholarship (Cownie & Bradney, 2017).

Socio-legal research has two main components. The first is a doctrinal step, comprising locating legal sources and then analysing the text (Hutchinson & Duncan, 2012). These methods can otherwise be described as document and content analysis, albeit utilising legal sources and analysis tools. The second step is a sociological one, where the law is then viewed and interpreted through the lens of the research topic's context and theoretical framework. There is clear parity between methods employed within the qualitative research spectrum of the wider social sciences and socio-legal human rights research. Thus, whilst some argue that legal research sits apart from other social science disciplines and thus does not require an explicitly outlined methodology (Chynoweth, 2008), this is arguably a reflection of a kind of purported legal exceptionalism on the one hand; and perhaps ignorance of the taxonomically qualitative reality of their employed methods on the other (Webley, 2012).

Some have questioned whether the exact composition of legal research methods can or should be explored within research papers, arguing that there is no discernible benefit from doing so (Hutchinson & Duncan, 2012). However, such a position ignores the central benefits and integral role played by methodological accounts within the research project. These include clarity, demonstration of research rigour and ethics, as well as performing a critical role, in terms of the self as a researcher but also concerning other approaches to similar research. Indeed, as McInerney-Lankford (2017) argues, such aversion to methodological explanation has led to an inherent weakness within legal and human rights scholarship. This is especially the case as law increasingly exposes itself to interdisciplinary research and the introduction of contexts outside the realm of traditional legal research. As Langford eloquently puts it, 'one can only imagine the poverty of human rights research if it were isolated from these broader intellectual movements' (2017, p. 165). Interdisciplinary methods must be embraced through a socio-legal approach and clarify our understanding of its close relationship with the wider qualitative research family.

Socio-legal human rights research, in particular those areas such as the 'right to health' which require an interdisciplinary approach, can be seen as being law's extension of the wider social science approach to qualitative methods and methodology. Legal researchers, therefore, should not be ignorant of the requirements of the methodological approaches which underpin their research. I

now extend the analysis further and highlight the importance and practical implementation of the much overlooked (in legal research) areas of research ethics and reflexivity, with a focus on positionality. These, it shall be argued, are deficient or absent from much of legal research, although (as shall be shown) they are an essential practice within the field of human rights law research under a socio-legal methodology.

4. Research Ethics in Desk-Based Socio-legal Human Rights Research

At first glance, desk-based research does not invite the researcher to be too critical of the ethical quandaries raised by their research. Indeed, when working with primarily written sources, a level of detachment from the potentially ethically fraught context of the research is possible. In this section I argue for a greater level of attention to be paid to ethical concerns raised specifically within a desk-based approach to research, utilising the context of health-based BHR-focused socio-legal human rights research.

The nature of 'desk-based' research raises the question of whether there is the requirement of ethical consideration, where the research does not deal *directly* with human participants, as might be the case in more empirical, field-based social scientific research. The study of research ethics, especially in qualitative methodologies, arguably centres around the potential impacts upon the study *participants*. To this end, Guillemin and Gillam distinguish between two categories of ethical considerations for research: 'procedural ethics' involving gaining ethical approval from the relevant academic body (2004, p. 263), and 'ethics in practice' which considers the ethical issues arising from the research process itself through the interactions with participants (p. 264). Given this distinction, it might be presumed that the ethical considerations of a 'desk-based' human rights project would require no more than the basic level of ethical consideration. However, this would be a reductive position to adopt as considers not only the broader remit of research ethics but further the basic requirements of human rights research through the socio-legal method. As Ulrich (2017) notes, the fact that human rights research seeks to do good does not exempt it from either the analysis of potential harm or the potential to cause harm. Human rights research deals with 'deeply contentious and politically divisive' issues (Ulrich, 2017, p. 192). The impact that research might have on innately personal and contentious situations must be kept in mind. Indeed, human rights discourse itself provides a clear impetus for rigorous ethical consideration. Researchers should not be confined to the notion that *direct* human participation provides the sole impetus for deep ethical consideration. The mere involvement of a 'human factor' (be it only the relation of a life story via a secondary source or the very nature of human rights violations) requires consideration of ethics beyond foundational comprehension.

To this end, the central ethical consideration is human vulnerability (Shaw et al., 2020, p. 279). As Rogers et al. note, 'vulnerability is an ontological condition of our humanity' (2012, p. 22). It is thus inherent to each of us, going beyond 'vulnerable persons' as a simple sub-category of participants (Shaw et al., 2020,

p. 279). Given this, it is argued that an individual's experiences, regardless of how or where they are reported to us, exist as an extension of that individual and should thus be treated with the same level of ethical consideration as would be afforded to that individual in a more direct and personal setting. Within legal research, even that of human rights, it is often far too easy to simply view cases as practical tools for legal interpretation and analysis, remaining altogether detached from the reality of the individual experiences hidden behind the text. This is especially important in the context of the right to health, International Human Rights Law and BHR since it is those first-hand experiences that provide the emotional backing and impetus for the research, and which provide a human weight to an otherwise soleless endeavour into legal semantics.

The interdisciplinarity of BHR and health-based research creates a crossroads of ethical considerations and frameworks, adding a further layer to the already complex and sensitive nature of socio-legal human rights research. Research of this kind brings about an intersection of not only methodological ethical considerations (as explored above), but contextually also considerations of medical and corporate ethics. Indeed, when undertaking research such as this, one must consider not only the ethical implications of the *practical* research methods themselves but also the deeper *theoretical* implications brought about via the consideration of medical ethics, corporate ethics and scholarly best practice. The introduction of an interdisciplinary, socio-legal human rights approach requires consideration of the ethical implications which arise as a result of such interdisciplinarity.

At the boundary between business, law and healthcare, there is a necessary consideration of research ethics which take into account corporate, legal and, critically, medico-legal ethics. Within this, the key ethical considerations are that of individual autonomy, beneficence, non-maleficence and justice (Brazier & Cave, 2016). Whilst *prima facie* distinct to clinical practice, the principles of biomedical ethics permeate significantly into considerations across disciplines, including human rights research in particular (Ulrich, 2017, p. 196). Considering this necessary exchange, one must bear in mind the *medical* context within which such research takes place. There is something innately personal about the field of medicine. It takes hold of the essence of an individual's well-being and, thus, their life itself. The researcher must be aware of the second degree of sensitivity inherent within the reported cases of rights abuse, unique to the clinical context. By approaching research with the principles of clinical ethics noted earlier, the researcher can better align themselves with the ethical context of the world within which these violations occur and can therefore better ethically navigate that world in a manner that is beneficial not only ethically but also in the production of quality research, affirming the inherent link between good ethical practice and positive research outcomes (Ulrich, 2017).

From the perspective of the 'business' element of the research, it is important also to examine the broader political and social impact of the proposed research (UK Socio-Legal Studies Association, 2009, p. 7). From the perspective of the corporation, where the practice causes harm, yet does not technically violate any law, how must blame be attributed? Furthermore, where must the ethical line be drawn between the attribution of responsibility and the attribution of

accountability? Ethical questions are also raised as to the positions of pharmaceutical companies as developers and producers of essential medicines. Indeed, whilst this might create a platform for abuse, it is also a platform for good and is heavily relied upon. There is a duality in the relationship between the right to health and the pharmaceutical industry. They supply those medicines which allow the state to fulfil its human rights obligations under the right to health, yet simultaneously exist as entities entirely capable of (and often guilty of) directly infringing upon the right to health through pricing practices which restrict access to essential medicines. In this way, researchers must reflect upon their research and position themselves ethically in a manner which balances these competing realities, and understand the potential impact for their research to tip the scales in one direction or another. Indeed, given this trifecta of benefit, harm and reliance, how the present research ethically navigates this minefield of dissonance will be vital. This requirement for proper navigation of the research context also requires consideration of a reflexive space, within which the researcher's positionality can be considered. In the following section, this requirement shall be explored.

5. Reflexivity and Positionality in Desk-Based Socio-legal Human Rights Research

Reflexivity is a tool, commonly utilised within social science research, which invites the researcher to critically reflect upon their knowledge production, placing it within the context of their 'values, biases, and decisions' (Bryman, 2016, p. 388). Intrinsically linked to reflexivity is the idea of positionality, which similarly invites the researcher to consider their position relative to the research context. As England outlines,

Positionality highlights how people, including researchers, come to know and interpret the world from different social locations; positionality shapes research, and may inhibit or enable certain research insights. (2017, p. 1)

For example, a male researcher investigating issues primarily related to women would benefit significantly from reflexive practice and be clear and critical in their research about their positionality and the implications it could have for the research and its outcomes. A researcher whose position is reflective of their research context might also deploy reflexive and positional critiques to their work, given the dual benefit of knowledge and disadvantage of bias inherent within direct personal experience.

5.1 Reflexivity

Despite the clear placement of desk-based, socio-legal human rights research within the wider framework of social science research, reflexivity and reflexive practice, present within most social science disciplines, are notably absent from much of contemporary legal research. This is arguably a combination of the aforementioned 'legal exceptionalism' present within legal academia (Webley,

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2012, p. 927). Additionally, the significant focus of reflexivity literature upon research that uses the direct participation of subjects might also contribute to its absence in predominantly desk-based legal research. As noted earlier, the primary methods present in legal research centre around such desk-based research, engaging primarily with textual and legal analysis of documents and secondary sources. As I have argued earlier, these methods do not use direct participants, meaning that much of the concern around one's positionality and the need for reflexivity by the researcher might be presumed absent. I argue however that we cannot conduct research devoid of reflexivity purely based on a lack of direct participation. The lives and interests of individuals are still present within the relevant secondary sources. Where we do not have active participation which provides a direct line of voice for participants, it is more important to employ reflexive techniques to ensure that we are speaking appropriately regarding the research subjects or sources.

Applied to the present research example, reflexivity and positionality are especially pressing concerns. In BHR and right to health research those individuals whose rights may have been infringed will no doubt be in a less powerful position to both the researcher and the corporations that have caused them harm. The financial imbalance between multinational pharmaceutical corporations and an individual who cannot afford essential medicines is stark. Additionally, these individuals may not have the political or social power to shape their own narratives, unlike those more powerful corporate entities whose influence over the nation-state can often be overwhelming. Thus, in conducting research of this kind, reflexive practice and critical use of positionality are critical in navigating these power dynamics (Merriam et al., 2001). The sources used within the legal analysis and the researcher's usage of lived experiences must be seen through a reflexive lens to ensure that the analysis and understanding of individuals' experiences reflect the imbalance of power between the subjects of the research.

In drawing upon principles from wider social science research, we must also be conscious of adaptations needed to fit within the bounds of legal research. To this end, one element of reflexive practice is ways for the researcher to detach themselves from their own experiences and position (most commonly through the construction of positionality) to strive towards a greater level of objectivity within their research. Some, such as Madsen, argue that the study of human rights should be objective and that the researcher should seek to 'avoid being swayed by the many readily available prescriptive discourses related to the subject area, including obviously one's own' (Madsen, 2011, p. 261). For Madsen then, a wholesale import of this form of reflexive practice is desirable. However, I argue that to exclude the researcher from the research context in this way is not only a practical impossibility, given the indivisibility of the researcher from their own lived experience, but an undesirable position. To this end, Heidegger views the researcher's experiences not as a hindrance, but as a tool through which one can experience the world, inherently inseparable from the researcher (Hopkins et al., 2017). Reflexive practice, adapted to the human rights context, is therefore about reflecting upon the tools and experience the researcher can *bring* to the research. The purpose of this kind of reflexivity is not to separate the world of the researcher from the world of the

research. Rather, it is to better understand how the world of the researcher can be *utilised* to understand and solve the problems presented by the research, through the researcher's knowledge and the common experiences shared with the research subjects (England, 1994, p. 243). The goals of International Human Rights Law and BHR researchers are emancipatory. The present project concerning the right to access essential medicines fits directly into this dynamic. The purpose of creating this reflexive space is not to remove the essence of the researcher from the project in some objective form, but to use the knowledge, experiences, and passion of the researcher for the emancipatory goals of the research to aid in the construction of solutions and rigorous research.

5.2 Positionality

Rejecting pure objectivity in our reflexive practice requires that the consideration of positionality must also be inherently unique to both the research project and the researcher. As Soedirgo and Glas note, 'positionality does not neatly "translocate" from one context to another but instead is inherently contextual' (p. 528). Therefore, the context within which it operates must be considered. As they note further, 'we gain knowledge about the world only through our positionality. Therefore, we must assess how it impacts our interactions if we are to generate useful data about the world' (Soedirgo & Glas, 2020, p. 528). As researchers therefore, we must be mindful of how our position impacts upon our knowledge generation, and our relationships with subjects of our research.

Applied to the current research example, arising again is the question of whether the lack of direct participation removes the requirement for considering positionality. As I have already argued, positionality must be considered, even where there is no direct contact between the researcher and subject. This however requires some adaptation of standard considerations to fit in the desk-based research context. In broader qualitative research, positionality generally involves observations of 'how the power dynamics of the interview process are negotiated by the interviewer, the interviewees, and the culturally embedded interview context constructed by both' (Merriam et al., 2001, p. 413). These considerations are made obvious due to the proximity of researcher and subject and all the potential issues which arise from contact with human participants. The absence of direct human contact in desk-based research does not, however, relinquish the entire duty of the researcher to take into consideration their own position, especially in a human rights context. When dealing within the sphere of human rights discourse, the lives of individuals who often have been subject to severe suffering are encountered. These encounters take place indirectly, through sources of law, written accounts and other secondary sources. Nonetheless, it remains that these accounts stem from the experiences of real people. Therefore, where researchers look to use these experiences to strengthen or form a legal argument, they must be aware of their positionality in relation to that individual's experience to ensure that they are ethical, respectful and appropriate in our usage.

To this end, Bourke argues that when the researcher holds a position of power and privilege, over that of the research subjects, they must be cognisant to not 'attempt to speak for the research participants' (2014, p. 3). Being cognisant not to

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speak for participants, but rather providing a platform for their voice, is an important lesson for desk-based researchers. As noted, given the indirect nature of the research, our relation with these individual cases will be second hand and beyond. Care must be taken in how these accounts are used and portrayed. It must be ensured that the best possible account of the truth of the situation is conveyed, without recourse to downplay or exaggeration. Refraining from speaking *for* individuals is a matter of ensuring that their stories are told in a manner respectful of, and faithful to, the individual themselves.

There are a number of tools researchers can use within their positionality in relation to individuals. These can include, for example, examining the hierarchies of power within your research, not only between the researcher and subject (Reyes, 2018, p. 221) but also between subjects. Indeed, as explored earlier, inter-subject power imbalance is a significant force, especially in the context of human rights and BHR research. A further tool for researchers to be mindful of is adherence to accuracy. Researchers must ensure that their position, through which they interpret these life stories, does not distort the truth of the experience in question. To this end, considering one's positionality within desk-based socio-legal research is not only a matter of respect for the individual but also a critical element of intellectual and academic rigour and validity. Bourke (2014) highlights that one's own biases can have an impact upon not only any participants but, critically, the observations and interpretations of the data and research findings. For desk-based researchers, this second factor is integral since the interpretation of data comprises the majority of their work.

Applying the above to BHR research, a further level of critical positionality is needed. Unlike many research relationships, dominance of the hierarchy of power firmly rests in the hands of the subject (corporation) and not the researcher. Indeed, these corporations are often seen as possessing power exceeding the nation-states between which they operate (McBarnet, 2009, p. 4). Researchers must maintain an awareness, through acknowledgement of their position, of any risks posed to themselves, or other individuals because of this power imbalance when conducting their research, many of the same considerations must still be present when dealing with human participants.

Despite this necessary caution, the researcher must also reflect upon their biases when dealing with corporations in BHR research. The primary goal of BHR research is to remedy and prevent violations of human rights by companies. In the case of the present example, it is to prevent violations by pharmaceutical companies in relation to access to medicines. Whilst this may appear a just cause (and I certainly believe it to be), it must be admitted that research of this kind can easily fall foul of an inherent bias against pharmaceutical companies, which are viewed as the 'rights-violators' or aggressors within the research context. Indeed, this is the case across the spectrum of BHR research.

In the context of the present health rights research example, being aware of the fact of potential bias against medical sector corporations requires that our research does not veer into the realm of exception fallacy and over-generalisation. Any exaggerated demonisation of corporations may hinder much of the remedial work possible, given the inherently voluntary basis upon which respect for human

rights in the corporate world is based (Moon, 2013, p. 35). Alienation and demonisation may not foster a positive relationship upon which future cooperation can be based. Whilst corporations are not living beings with thoughts and feelings, this does not mean that they cannot be directly impacted by the researcher. The bottom line of profit is often the primary driving force behind corporate action. As Buhmann et al. note, when researching in the field of BHR, researchers must consider 'how the appropriateness of decisions that balance human rights impacts against economic returns could be assessed' (2018, p. 326). Ultimately, despite any doubtlessly genuine and passionate feeling held by the researcher, impactful desk-based BHR research should adhere to a sensible level of pragmatism and realism in order to have a chance of effective genuine progress and positive change. It is imperative therefore that understandings are adapted to reflect this reality and that the differing nature of corporate entities as opposed to individuals is understood, not only relating to positionality but critically within the methods and outcomes of the research.

6. Conclusion

In this article I have argued for a greater appreciation and application of 'borrowed' elements of sociological research to desk-based legal research. In particular, I have focused on the application of research ethics, reflexivity and positionality to desk-based research at the intersection of human rights, health and 'business and human rights'. For desk-based legal researchers in particular, full engagement with nuanced and critical research ethics, or consideration of reflexivity and positionality, may still appear to be unnecessary or even unheard of – required only of those most sociologically minded of scholars. Yet many areas of legal research, especially those interdisciplinary works, which draw upon broader social sciences, could benefit from engagement with these methodological tools.

The emergent field of BHR, including its intersection with health rights research, is an excellent candidate to draw upon these techniques. The juncture between socio-legal human rights, health and the study of corporations brings to the fore a chorus of issues for both the researcher and the researched: issues which can be addressed through the proper application and consideration of ethics, as well as the researcher's positionality, and critical reflexive practice. Researchers working in this field should be mindful of their position, both in terms of their power and privilege compared to rights-holders, and also in terms of their own vulnerability in relation to powerful corporate actors. Furthermore, the lack of direct participants should not absolve the desk-based researcher of the necessary ethical considerations, accounting for the real, human experiences which rest behind the written word. At the same time, researchers seeking pragmatic solutions to BHR issues may also wish to reflect upon the way in which they conduct and produce their research. Given the voluntary nature of the corporate-human rights relationship, researchers must also be mindful of how their research might impact upon the success of any negotiations and voluntary agreements made by corporations in relation to their human rights obligations.

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Whether apparent or not, consideration of the ethical quandaries of research, interrogation of the position of the researcher and reflection upon the nuances and difficulties posed by the research field are all processes which have the potential to benefit desk-based socio-legal research. I hope that this article can serve as an example of how these tools, integral to field-based research, can be effectively deployed within desk-based socio-legal research.

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