

Anthropological Ethical Considerations

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Place to start as we enter Tin Shed, as Alan asked, “*You see that Tin Shed?*”

e.g. Case of the Spirit Child – Aaron Denham

“Ethics” – the moral principles of right and wrong that govern and guide conduct in relationship with others. Deal with difficult and subtle questions of rights, fairness, equity, as well as potential harm and potential benefits in relation to others and one’s self.

Professional ethics and codes of ethics are codified standards of conduct in dealing with human subjects.

The Balancing Act – Costs and Benefits – Not so much right and wrongs, as a lot of areas of gray areas – **what are these areas of rights and concerns, the principles, and who are the varied others, those in relationship with you?**

A. Who has rights?

1. Rights of researcher, as well as the academy/discipline, to acquire knowledge, to know. Great “advances” in social sciences (race and ethnic relations), technology, medicine, communications, etc, all sparked by the right of researchers to know. This is the venue for “pure research” to advance the human condition. E.g., Boas and racism

Why shouldn’t the interests of the social scientist take precedent over all other considerations?

2. Rights of individuals under study, the “subjects,” to their self-determination and sovereignty, to privacy, dignity, welfare and safety. To avoid direct and potential harm – physical, psychological, cultural – that may result from the research.

How do we truly protect those who are opening up their lives and sharing so much with us?

e.g., my very first research entailed deleting information my consultants did not want included in the research project, i.e., a “bar” scene or even materials on the “trickster” behavior of some Crows.

e.g., Patrick Tierney’s *Darkness in El Dorado*. The fieldwork practices of anthropologists that represented and portrayed the Yanomami in a negative way, that undermined their well-being and contributed to their malnutrition, disease, and disorganization, while scientists, anthropologists, and journalists gained personally and professionally

3. Rights of the community under study to its intellectual and cultural property.

Who does knowledge belong to, and who has the say over its uses and dissemination?

The researcher who gathers and analyses the knowledge, or the individuals and community that originally generated such knowledge?

4. Rights of community to determine the sorts of research conducted that will have beneficial results.

Doesn't the community in question have a say in determining what sorts of research is conducted and determining what is beneficial based on its criteria?

5. Rights of students

To be honest with students and teach ethical responsibility in all teaching and advising Endeavors.

6. Rights of Sponsoring Grant Agency and to Governmental Agencies

To be honest and candid, but not compromise professional responsibilities and ethical standards, and should not agree to conditions that compromise the conditions of the research or potentially harm the subjects of the research.

B. What are the philosophical, legal and cultural principles that inform the “rights” that may come into effect and result in an ethical dilemma?

Right of Discipline and Academy:

- improve and advance human condition
- advance one's own professional development (university P and T)
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– Implicit Anthropological historical focus: given hegemony, gain knowledge to improve the conditions of oppressed peoples, communities, tribes, etc.

Right of Collaborator/Consultant/Individual/Subject:

- protection of an individual's self-determination and freedom
- inverse, protect individual from risk and harm that would impede his/her freedom
- right to informed consent
- right to transparency and honest communications

- implicit Euro-American cultural construct of “individualism,” that may not be universal, and what are implications? e.g., Nez Perce Informed Consent Form
- implicit Anthropological historical focus: given hegemony, gain knowledge to champion the rights of oppressed individuals

Right of Community:

- community sovereignty and will of people to make own judgment and determine potential harm and benefit
- protection of a community’s intellectual/cultural property
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- implicit Anthropological historical focus: given hegemony, gain knowledge to champion the rights of oppressed communities and societies

C. Strategies to Consult – where to look for guidance?

1. Code of Ethics of the American Anthropological Association

Preamble: Anthropologists work in many parts of the world in close personal association with the peoples and situations they study. Their professional situation is, therefore, uniquely varied and complex. They are involved with their discipline, their colleagues, their students, their sponsors, their subjects, their own and host governments, the particular individuals and groups with whom they do their fieldwork, other populations and interest groups in the nations within which they work, and the study of processes and issues affecting general human welfare. In a field of such complex involvements, misunderstandings, conflicts, and the necessity to make choices among conflicting values are bound to arise and to generate ethical dilemmas. It is a prime responsibility of anthropologists to anticipate these and to plan to resolve them in such a way as to do damage neither to those whom they study nor, insofar as possible, to their scholarly community. Where these conditions cannot be met, the anthropologist would be well-advised not to pursue the particular piece of research.

2. Your college’s Institutional Review Board (Human Assurances Committee), including the Human Subjects Application Form and the National Institutes of Health Certificate

3. The host community within which you propose conducting research

- knowledge as "power" – the hegemonic academy and issues of tribal and community sovereignty and essentialism, and the role of collaboration

e.g., Nez Perce Research Regulation Ordinance Process, and Nez Perce Tribal Executive Committee approval process

4. Your own judgements and values of right and wrong

Procedures to Follow – what can I do?

1. Local Community and/or Agency:

e.g., Tribal Council, Cultural Resources Office, and Cultural Review Committee: a. secure Research Permit and Council Approval, b. establish Cultural Property Rights Agreement and c. submit research to a Review Process.

How will this research impact our community?

Collaborative, Applied Research Design

2. Your academic Institutional Review Board – Human Assurances Committee, including the Human Subjects Application Form and the National Institutes of Health Certificate

3. Informed Consent Form (along with issue of interviewee’s comprehension of technical nature of methods) and include Support Letter

4. Privacy (of note that concern for this ethical issue arose out of Euro-American value of individual privacy, and may not be of concern in other cultures, “individualism” vs. family or community)

Confidentiality – name left out and pseudonym might be used, i.e., identity of consultant separated from information given. Only researcher can link actual name to presented research.

e.g., *Landscape Traveled by Coyote and Crane*, while kept out of body of text for each vignette, acknowledge in appendix.

Anonymity – information might be used in analysis/interpretation, but not identifiable and revealed publically in study or even identifiable to the researcher.

NOTE: on the Human Assurances Form: “Anonymous” means no one (not even the researcher) will be able to link the subject’s identity with his/her responses. “Confidential” means that the researcher will be able to link the subject’s identity with his/her responses, but that this link will be maintained in a confidential manner. If confidential, how will information be maintained?

5. Material Culture and Legal Considerations: Adherence to Native American Graves Protection and Repatriation Act (NAGPRA), and Archaeological Resources Protection Act (ARPA)
6. Reciprocity – give back something for what received – common complaint: exploitation of our cultural resources for your own gain (compensation: honorarium, project itself, etc.)
7. Issues of reflexivity and researcher's influence in study

Case Examples and Exercises