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# Ethical Considerations: When Epistemological Systems Collide

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## Description

A researcher who is interested in studying the human remains of members of the Pisha Peoples believes his research will be extremely useful to current tribe members even though members of that community oppose his research due to their traditional beliefs. Though the researcher has approval from his institutional review board, does he need the consent of the community to continue his research?

## Body

The Detsi National Forest (N.F.) is located in the central Grand Flats of the United States. At first European contact, the Pisha Peoples inhabited this area, and according to their tribal experts, their people have lived there since time immemorial. In the late 19th century, the Pisha were subjected to U.S. cavalry extermination campaigns, and the survivors were forcibly marched away from their homelands to a reservation belonging to their traditional enemies. After several years, some of the Pisha returned to their homelands forming a distinct non-federally recognized tribal community on the outskirts of the local Euro-American town.

The Pisha have continued to lobby for the return of their lands and for greater protections of their ancestors' remains and sacred spaces. Many Native American tribes including the Pisha have publicly voiced outrage at the differential treatment

of skeletal remains based on their perceived “race.” Because the Pisha’s land is now federally owned, their ancestors’ remains are now federal property. The Antiquities Act of 1906 declares as “artifacts” and property of the federal government any anthropic materials determined to be 100 years old or older found on federal lands. This Act defined “artifacts” to include materials associated with North American indigenous cultures within the United States including Native American skeletal remains.

Traditional Pishas know that physical death is not the end of an individual’s consciousness. They assert that persons are comprised of physical and metaphysical parts that remain dependent upon one another for well-being even after the death of an individual’s physical body. According to the Pisha, exhuming their ancestors’ human remains disturbs the flow of consciousness between the physical and metaphysical parts of the individuals causing them great harm.

The traditional Pisha assert that living tribal members have a moral imperative to do all that they can to protect the well being of their ancestors. They also know that returning exhumed burials to the ground at or near where the remains came from will begin the healing process. The flow between metaphysical and physical parts of the being will eventually reach some degree of restoration. Traditional Pishas have a moral imperative to return their ancestors’ remains to the ground and failure to do so will cause living Pishas physical and spiritual illness. Destruction of any part of the human remains will result in irreparable harm to the deceased.

Darby is a bio-archaeologist proposing to conduct both destructive and non-destructive analysis on sets of human remains that have been exhumed from the Detsi N.F. Darby’s work has the potential to provide a variety of western scientific information including reconstruction models providing a narrative of the diet of these individuals and the diseases to which they were exposed. Darby believes his work also has the potential to assist living Pishas and others to overcome some contemporary illnesses. Darby has received consent from the Detsi N.F. (U.S. Department of Agriculture), and his university’s Institutional Review Board to move forward with his research, but he first wants to make certain he has carefully considered the ethical aspects of his research.

Darby believes that the Western scientific method is more objectively valid than the scientific methods of non-western cultures. While he sympathizes with the Pisha, he argues that their traditional beliefs consist of nothing more than superstitions

and unsubstantiated folklore. He sincerely believes that his work will provide greater benefits than costs to the Pisha and should therefore conduct his research despite the Pisha's aversion to it.

## **Questions:**

1. Even though he has the approval of his IRB to move forward with the research, does Darby have a moral obligation to obtain the consent of the Pisha before doing research on human remains of their ancestors?
2. If the Pisha do not give their agreement, should Darby do what he thinks is of most benefit to the Pisha and for research?
3. Even if Darby has a legal right to proceed with the research, does Darby have a moral right to weigh the benefits and burdens of his research for another culture? How would he determine the weight of the value of western scientific research for a culture which may not place the same value on scientific research compared to other cultural values?

## **Contributor(s)**

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