Author's Commentary on "Ethical Considerations: When Epistemological Systems Collide"

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This case study brings to light some of the potential problems that can arise when people with very different belief systems interact. It also highlights some of the issues inherent to the extreme power differentials created by colonialism. American anthropology was born out of a colonialist ideology, and this legacy continues to complicate relationships between anthropologists and indigenous groups today.

The colonization of North America has been devastating to the continent's indigenous populations. The westward expansion of Euro-Americans acting on the ideological assertions of manifest destiny caused the wholesale slaughter and eventual extinction of some American Indian cultural groups, and displaced many of those who survived the assaults. The driving of the final golden railroad stake joining the Union and Pacific railroads in 1869 symbolized the opening of the west for Euro-American settlement, while the 1904 San Francisco World's fair display "End of the Trail" emblemized prevalent Euro-American assertions that the "Indian Race" was doomed to extinction.

During and since the era of initial colonization in North America, tens of thousands of sets of historic and pre-contact indigenous human remains have been exhumed and placed in repositories around the country. The continued possession of these human remains by federal and state agencies is viewed by some as a continuation of colonialism; first control of the living and now control of the dead.

Since passage of The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, public attention has increasingly focused on the Indigenous dead of North America. The NAGPRA requires all federally funded repositories of Native American (as defined by the law) human remains to evaluate whether any living lineal descendents of particular sets of human remains exist, and/or whether

“cultural affiliation” (as defined by the law) between a set of human remains and any “contemporarily federally recognized Native American group(s) can be reasonably identified.” The NAGPRA provides a process for repatriation of the remains should recognized lineal descendents and/or culturally affiliated groups choose to employ it. But the NAGPRA only gives authority to federally recognized Native American groups and questions have arisen as to whether “cultural affiliation” can be identified through scientific analysis as some have assumed the NAGPRA requires. Although the law was initially thought to support human rights, its numerous weaknesses for this purpose are becoming apparent. Although many anthropologists support the repatriation of human remains to tribal groups, others have voiced opposition to the NAGPRA repatriation process. The NAGPRA has sparked a renewed interest among some to conduct additional studies on these sets of human remains.

At primary issue in many contemporary conflicts between Native Americans and Western scientists is control of indigenous North American human remains. Some indigenous North Americans have asserted their legal right and moral obligation to protect their ancestor’s remains. These cultural groups assert that Native American dead should be given the same respect given any human. Federal agencies assert their claim that human remains recovered from federal lands are federal property. Some scientists argue they have a right to scientific freedom which includes performing studies on indigenous human remains.

Recent controversies regarding ancient North American human remains have often focused on questions of race. These disputes have been further aggravated by hyperbole in the media. Although the majority of anthropologists assert that race is a cultural construct, the “First Americans” debate has reinvigorated racism against Indigenous peoples in some communities.

A question remains as to how much can be learned from the study of pre-contact North American human remains and what importance should be placed on the potential knowledge recovered from such studies. One should ask if Western scientists should prevail when their work has the potential to cause more harm then good.

Western belief systems dominate others due to colonialism, but is might always right? Or, do we owe it to ourselves to question the foundations of all belief systems, including our own, before we force our ways of finding truth on others?