

NEH CODE OF ETHICS

For Research Relating to Native Peoples

EDITORS' FOREWORD

The Indian Religious Freedom Act required all federal agencies to review their existing procedures and put them into compliance with the law. The National Endowment for the Humanities (NEH), in responding to this legislation, consulted with Native American representatives from tribes, membership organizations, cultural institutions, and the scholarly community. It became evident in the process of these consultations that a code of ethics was needed for NEH grantees whose projects relate to Native Americans.

A code of ethics was drafted, circulated for comments, revised, and eventually adopted by the Board of the National Endowment for the Humanities. Although this code is intended for NEH grantees working with Native Americans of North America, the ethical implications of this code have a clear relevance to research that deals with the native and tribal peoples of Latin America and the Caribbean. In response to the suggestion of David Warren, U.S. representative to the Instituto Indigenista Interamericano and a former member of the NEH Board, LARR is printing this NEH code of ethics for the information of Latin Americanist scholars. The editors trust that the precepts of this code are already being followed by researchers in the field and hope that the code will be brought to the attention of students about to undertake research involving native peoples.

CODE OF ETHICS

The following is a Code of Ethics to be followed by NEH grantees whose projects relate to American Indian, Aleut, Eskimo or Native Hawaiian peoples. Researchers and scholars should be aware of the following:

1. While the body of law and custom on which the Code is based is rooted in relations with the native peoples of North America, you are urged to follow it whenever living cultures and peoples are involved; and

2. The Code is based on the Endowment's adherence to Public Law 95-561, the Indian Religious Freedom Act; Public Law 96-515, the National Historic Preservation Act amendments of 1980; and other relevant public laws governing relations with Native peoples of North America, and is constructed to conform to the principles of these laws.

Researchers should familiarize themselves with these laws so that adherence to federal statutes will accompany compliance with this Code. Please sign the following statement, thereby assuring the Endowment that work funded by this grant will adhere to the following provisions:

a. Every effort should be made in advance of project design and execution to engage the agreement, advice, and cooperation of members of the native community in planning and execution of the project and in the disposition of results from the project. This means that the aims of the investigation, exhibition, or project should be communicated to the native community and the anticipated consequences and results of research or data-gathering should be explained as fully as possible to the individuals and groups likely to be affected.

b. Where research or exhibition of materials involves the acquisition of material (objects and documents) and transfer of information on the assumption of trust between persons, the rights, expressed interests, and sensitivities of those originating the material must be safeguarded.

c. There is an obligation on the part of the scholar/researcher/principal investigator to reflect on the foreseeable repercussions of research and publication on the participant population and to inform them of probable impact.

d. Native community consultants have the right to remain anonymous or to be specifically named and given credit if they so choose. This right should be respected where it has been explicitly promised. Where there is no clear understanding to the contrary, sources should be kept confidential. Because funded proposals, grant reports, and other written material in the Endowment's possession are available to the public, no identifications contrary to the wishes of community consultants should appear.

e. Investigators using recording devices such as cameras or tape recorders or the technique of oral interviewing are also subject to the above criteria. Subjects under study should understand the capacities of such machines and should be free to accept or reject their use.

f. Individuals or group community consultants should be fairly compensated (through reciprocal exchange or monetary payment) for their services/information and there may be no exploitation of subjects under study. Scholars should make every attempt to guarantee appropriate credit (in the form of co-authorship, co-curatorship or co-investigatorship) and the distribution of financial rewards where appropriate for products resulting from projects.

g. Any report or work considered for publication (and where applicable and possible, films or exhibitions) should be deposited with the native community's political body (the business committee or council) and with representatives of the elders and traditional leaders of the

community. Every effort should be made to see that such a representational body has an opportunity to view the films or exhibitions which result from work undertaken in the community.

h. This Code should not interfere with or preclude any formal agreements made between researchers and native peoples for the course of research undertaken with federal funds. Further, the Code does not preclude or supercede ethical codes, subscribed to and endorsed by various professional associations, but rather, intends only to make clear the standards expected of those receiving Endowment funds.

(Name)

(Grant Number)

(Date)