

DRAFT

The Case for Collective Responsibility and Reparations*

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"We believe that the informed consent techniques used by the 1968 expedition would not measure up to contemporary standards" (Turner/Task Force 2002).

The El Dorado Task Force was established by the Executive Board of the American Anthropological Association to conduct what the Board termed an "inquiry" into the allegations about anthropological practice among the Yanomami contained in Darkness in El Dorado, by Patrick Tierney.

Whether the individuals subject to allegations acted for honorable motives or not, the point remains that with the passage of time thoughtful anthropologists and the Association itself have come to view those actions (including methods of collecting information and samples) as reprehensible and unjustifiable -- acts that may have wronged, intentionally or not, the Yanomami.

The strong agreement that emerged in interviews conducted by this Task Force, as well as independent interviews conducted outside the Task Force, show that many Yanomami perceive themselves as having been misled, misinformed, manipulated and otherwise wronged by investigators. By today's standards these wrongs would constitute violations of basic rights, including the right to informed consent.

A number of Yanomami spokespersons have voiced complaints regarding the lack of adequate informed consent and deliberate deception in the collection of information and bodily samples in 1968 (Davi Kopenawa, Boletim Yanomami 2001). Yanomami spokespersons must be regarded as credible narrators of their own histories. The Yanomami experience of events, even as it is recalled after a substantial lapse in time, must be respected and honored.

The Task Force has agreed that "the informed consent techniques used by the 1968 expedition would not measure up

to contemporary standards" (Turner/Task Force 2002).

If the allegations and needs of contemporary Yanomami are disregarded, this could contribute to a persistent institutional pattern of negligence by the AAA, constituting a further disregard for Yanomami rights by the Association.

It could be argued, for example, that had the AAA vigorously and promptly acted to protect the rights of the Yanomami when called to do so by the Association of Brazilian Anthropologists (ABA), the legacy of accusation would be considerably reduced. That the legacy still persists, may be due to neglect, intentional or not, by the AAA in effectively addressing these matters. This was likely the case when, in 1989, Association President Rappaport congratulated Brazilian president Sarney for what had become a reduced and divided Yanomami territory. When President Rappaport belatedly offered congratulations to the Brazilian government for its creation of a Yanomami reserve, the allotted land had been partitioned into 19 separate parcels, leaving 23 Yanomami communities outside the area and two conservation units inside it (Albert 1991:45). The congratulated president had reduced Yanomami lands by 30%.

I therefore make a case for collective reparations to the Yanomami. The argument is based on findings from interviews with Yanomami in Brazil and Venezuela, suggesting that the Yanomami were subject to scientific investigation in which they were treated in less than a humane manner. The position favoring reparations is grounded in a basic moral postulate that wrongs experienced by the Yanomami should be remedied. As these are not merely the sum of many individual actions, but are the collective acts of a professional association, I suggest that they be treated collectively.

Moreover, it is in keeping with the decision of this Task Force to regard the Tierney book as an opportunity to reflect on the discipline in order to learn. I quote from Hill et al., Task Force Preliminary Report, Jan. 2002:

"We have ... undertaken a reflexive exercise, on the implications not simply of some specific moments of anthropological practice among the Yanomami, but on anthropological practice more generally, and its location in those relatively enduring regimes of knowledge and power which we can refer to in shorthand as the confrontation of Western elites with "others" whose presence requires classification, explanation, and incorporation into the systems of knowledge through which that power is in part constituted. These regimes do **more than merely shape anthropological practice; they make it possible**. However, at the same time, they make possible the use of anthropology to interrupt these very regimes, to expose their contradictions, and to open within them spaces within which new forms of knowledge can be uttered and new voices can be heard. By locating the work of our Task Force partly in the space of reflection, we hope to accomplish such an interruption. But at the very minimum we hope to inspire a movement in anthropological exchange beyond the relatively narrow zones in which debate over the meaning of Darkness in El Dorado has too often been restricted: Beyond a spurious distinction between value-free "science" and value-involved "humanities," and, especially, beyond individuals and personalities. All anthropological practice is implicated in what went wrong in "El Dorado" -- and we believe that things did go wrong. Some of

the things that went wrong involved styles of anthropological investigation that are taken for granted or even explicitly advocated by many colleagues."

To these allegations of wrongful acts I would add the errors of omission and negligence. The present status of Yanomami human rights, land demarcation, and health in Venezuela was virtually unknown to the American anthropological community until several months ago, despite decades of research by American anthropologists among them (see www.aaanet.org/committees/cfhr/index.html or www.aaanet.org/eldoradouupdate.pdf). In contrast, the legal and health status of Brazilian Yanomami has been consistently called to the attention of the Association and has not always been handled with concern. In the case of the Yanomami, individual accusation among researchers has superceded concerns for the Yanomami themselves. Placing scholarly debate and individual accusation above the well-being of Yanomami, constitutes a failure, I believe, to meet ethical standards.

What is Collective Responsibility?

Let me explain. I believe that personal responsibilities and liabilities are not appropriate issues for this Task Force. The more important matter is collective or corporate responsibility.

I argue that both the AAA and the Yanomami can be treated as collectivities. A horizontal connection can be argued for the "perpetrator" group. As anthropologists with shared stakes, we have benefitted as a body from past relationships with small-scale societies. We have benefitted from these materials in class enrollments, and as "owners of specialized knowledge" that we have collected in these and similar contexts. Moreover, a number of criticisms are directly related to commonplace anthropological practices that deserve reflection. The entire debate raises questions regarding the process of gathering information and constructing representation. We therefore continue to share the costs of any wrongdoings or oversights by our members.

If the association is understood to be a collectivity or corporate entity, the "wrongdoing" of the association does not distribute to each of its members. Individual members may be blameless for the wrongs of their national Association. The burden of the Association's wrongdoings reflects professional roles rather than anything inherent in its members as persons. Several models for collective reparations exist. For example, in the case of reparations to Japanese American citizens who suffered internment between 1942-5, it was not necessary to demonstrate some benefit accrued by Americans from the internment (Fullinwider 2000).

Collective complaint

The Yanomami can be treated as a group because they were treated that way by the researchers, particularly in the way their bodily materials have been processed; and because they present their claims that way.

In making the case for reparations, it is a mistake to look for personal or individual wrongdoing. An individual model

for reparations is not practical; it generates unnecessary problems because of the difficulties entailed in identifying individual responsibilities as well as entitlements. We cannot responsibly identify who should get what in compensation for events that may have occurred over thirty years ago. For example: To whom should reparations be paid? How do we trace or measure damage? How do we match reparations to losses?

Opponents of reparations might argue that identifying wrongdoers is necessary in order to extract compensation, or, complementarily, paying reparations requires identifying specific victims and the exact degree of their victimization. However, the results of this "radical individualism" would mean not compensating anyone at all. Therefore, we must abandon individualist models of reparations and replace them with group concepts.

Moreover, I argue, a relation of moral causality obtains between the two groups. While basing reparations on individual acts is likely to complicate matters and further controversy, basing reparations on collective responsibility could provide the healing that is called for and the return of dignity to a peoples who appear to have been subject to wrongdoing.

A collective act would represent an official apology from the body and a step toward making whole the damages, harm, and losses that may have been incurred by Yanomami. Recognition of damages engendered by past wrongs is likely to bring the Yanomami together politically, producing a horizontal unity -- an imagined community-- created by a commonality of experience appropriate to a discourse of reparations. An act of reparations recognizes and validates Yanomami complaints. It invites the debate to take place on Yanomami terms and could serve as a vehicle to political autonomy through discourse and decision-making.

Reparations, even at this late date, would not be gratuitous. There is real work they can perform. A properly structured reparations program enacted by the AAA could return or destroy blood samples as well as funnel resources to health or other service programs. It is hoped that such a program, continued over time, would repair damages both perceived and occasioned by anthropologists and other researchers in the spirit of an ongoing and dynamic process of informed consent, explanation and reparation, as outlined in the AAA Code of Ethics.

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