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# The Right to Kill

Should Brazil keep its Amazon tribes from taking the lives of their children?

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PHOTOGRAPH BY MICHAEL MELO



**MORE THAN A DECADE AGO**, Kanhu left the homeland of the Kamayurá, an indigenous tribe with some 600 members on the southern edge of the Brazilian Amazon. She was 7 years old. She never returned. “If I had remained there,” Kanhu, who has progressive muscular dystrophy, told Brazilian lawmakers last year, “I would certainly be dead.”

That’s because her community would likely have killed her, just as, for generations, it has killed other children born with disabilities.

The Kamayurá are among a handful of indigenous peoples in Brazil known to engage in infanticide and the selective killing of older children. Those targeted include the disabled, the children of single mothers, and twins—whom some tribes, including the Kamayurá, see as bad omens. Kanhu’s father, Makau, told me of a 12-year-old boy from his father’s generation whom the tribe buried alive because he “wanted to be a woman.” (Kanhu and Makau, like many Kamayurá, go by only one name.)

The evangelical missionaries who helped Kanhu and her family move to Brasília, the capital of Brazil, have since spearheaded a media and lobbying campaign to crack down on child killing. Their efforts have culminated in a controversial bill aimed at eradicating the practice, which won overwhelming approval in a 2015 vote by the Chamber of Deputies, the lower house of Brazil’s National Congress, and is currently under consideration in the Federal Senate, its upper house.

But what may seem an overdue safeguard has drawn widespread condemnation from academics and indigenous rights groups in the country. The Brazilian Association of Anthropology, in an open letter published on its website, has called the bill an attempt to put indigenous peoples “in the permanent condition of defendants before a tribunal tasked with determining their degree of savagery.”

The controversy over child killing has raised

a fundamental question for Brazil—a vast country that is home to hundreds of protected tribes, many living in varying degrees of isolation: To what extent should the state interfere with customs that seem inhumane to the outside world but that indigenous peoples developed long ago as a means to ensure group survival in an unforgiving environment?

**IN 1973**, Brazil passed the Indian Statute, which groups indigenous individuals into three categories: those who live in complete isolation, those in limited contact with the outside world, and those who are fully integrated into mainstream society. The statute states that



PREVIOUS SPREAD: Kanhu in her Brasília home on March 6. LEFT: Kanhu and her family in their Brasília neighborhood that same day.

tribes such as Kanhu's are only subject to federal laws depending on their degree of assimilation into Brazilian life. It is thanks to this language that indigenous people do not face prosecution for child killing.

The bill intended to crack down on the practice is informally known as "Mujaji's Law," after an indigenous woman who rejected her community's expectation that she kill her disabled daughter in 2005. If the bill passes the Senate, it will be tacked on as an amendment to the Indian Statute and require the government agencies that oversee indigenous communities to take a series of proactive measures. One will be the creation of an up-to-date registry of certain pregnant women so that the

government can keep an eye on those (such as single mothers or women carrying twins) whose newborns might be targeted for death by their tribes. Another measure will require that the public prosecutor's office be notified immediately of reports of human rights violations committed against newborns or any other stigmatized members of indigenous communities, including the elderly. The amendment also stipulates that any citizen who learns that an indigenous person's life or safety is at risk but does not report it to the authorities will "be penalized under the applicable laws."

In 2007, the bill was introduced by then-congressman Henrique Afonso, a member of Brazil's evangelical caucus

and the then-ruling Workers' Party. It immediately created tensions between those who champion universal human rights, which prioritize the individual, and those who support cultural relativism, which favors the freedom of communities to organize themselves according to their own moral codes.

This dichotomy is actually built into the country's 1988 constitution, which extends "the inviolable right to life" to everyone within the country's borders while also safeguarding "indigenous peoples' social structure, customs, languages, beliefs and traditions." The ratification of the constitution, after decades of dictatorial rule, was a watershed moment for the state's attitude toward indigenous peoples. (The Indian

Statute, ratified under military rule, by contrast, opens by specifying its intent to “integrate them, steadily and peacefully, into the national fold.”) Now, no longer would a multiplicity of tribes be forced to conform to external values. Tribal cultures and worldviews were suddenly granted, and understood to be worthy of, their own protections. But the unresolved contradiction in the constitution has forced subsequent generations of lawmakers to grapple with the question of how to deal with indigenous practices outsiders see as inhumane.

**THE EXTENT OF CHILD KILLING** by indigenous groups today is difficult to measure. Brazil’s National Indian Foundation, better known by its shortened Portuguese name Funai, does not collect data on child-killing rates and resists publicly acknowledging the phenomenon. When pressed, the foundation maintains that the practice affects a negligible fraction of the total indigenous population. The Brazilian Association of Anthropology says child killing is in decline. To bring up the issue at all, Funai said in a 2016 press release, “is in many cases an attempt to incriminate and express prejudice against indigenous peoples.”

A missionary organization that tracks child killing estimates that some 20 groups, out of the more than 300 indigenous peoples in Brazil, engage in the practice. As of the most recent census, conducted in 2010, the number of indigenous people in Brazil was 897,000—one-half of 1 percent of the total population of 191 million.

The scarcity of data may be due to underreporting. In 2014, when the Latin American Institute of Social Sciences published a “Map of Violence” report charting killings across Brazil, the municipality with the highest relative homicide rates in the country was Caracaraí, an Amazon town of 19,000

residents, many of whom belong to the Yanomami tribe. The unexpected first-place ranking reflected the first-ever inclusion of data on indigenous infants, Amadeu Soares, the state secretary of public safety, told reporters at the time. “It is the culture of indigenous peoples to sacrifice children who were born with some problem, some deficiency,” he said. Yet Soares demanded that the authors remove Caracaraí from the top spot, arguing that the homicide rates were inflated by deaths outside of his jurisdiction. (The study’s authors did not comply.)

Critics argue that this countrywide debate over the rights of indigenous Brazilians, begun by evangelical missionaries, has sinister parallels to the country’s colonial history and the violence experienced by the indigenous at the hands of outsiders—violence that continues to this day. In a public rebuke to Muwaji’s Law, the Brazilian Association of Anthropology compared it to “the most repressive and lethal actions ever perpetrated against the indigenous peoples of the Americas, which were unfailingly justified through appeals to noble causes, humanitarian values and universal principles.”

One anthropologist at Funai, who asked not to be identified because he is not authorized to speak on behalf of the foundation, argues that child killing among indigenous peoples must be

understood in the context of the Amazon’s incredibly harsh environment. The anthropologist, who conducted years of fieldwork on Brazil’s border with Venezuela, says he heard stories about child killing, which were difficult and tragic. But he says the context is critical. “Something like a misshapen leg can seem like a small thing for us,” he says, “but it’s not so simple for them.” Surviving in the jungle could prove an insurmountable hurdle for these children, leaving them, in the anthropologist’s words, “doomed to failure.”

But many Brazilians find it unacceptable that the government would allow tribes to kill disabled children in the name of cultural preservation, rather than let the state provide them with medical treatment.

“Brazil is free to debate the issue academically in universities,” says Maíra Barreto, a human rights lawyer who wrote her doctoral dissertation on the legal and bioethical questions raised by indigenous child killing. While the 1988 constitution introduces a conflict between the individual’s right to life and the right of indigenous peoples for self-determination, Barreto points out that the country has since ratified international treaties that seek to bridge relative and absolute approaches to indigenous rights.

She is referring in part to the Indigenous and Tribal Peoples Convention,

To what extent should the state interfere with customs that seem inhumane to the outside world but that indigenous peoples developed long ago as a means to ensure group survival in an unforgiving environment?



A Kamayurá man and his children outside their village in Mato Grosso, Brazil, on June 6, 2009.

ratified by Brazil in 2002, which stipulates that indigenous peoples “shall have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally recognised human rights.”

According to Barreto, under international law the way forward is obvious. “Certain cultural practices here are incompatible with human rights,” she says. “They need to be thwarted. There’s no middle ground.”

Barreto is a board member of Atini, an evangelical nonprofit that, on its website, describes itself as “internationally recognized for its pioneering work in defense of indigenous children’s rights.” Founded in 2006 by Márcia Suzuki and her husband, Edson, missionaries who spent decades living among isolated indigenous groups, the organization

operates a shelter in Brasília for indigenous parents who escape their communities in order to preserve the lives of their children who would otherwise have been slated for death. The organization also leads an awareness campaign surrounding indigenous child killing. Its members were advisors for the drafting of Muwaji’s Law.

Their advocacy surrounding child killing began unintentionally, Suzuki says. In the late 1990s, she and her husband was living among the Suruwaha—a tribe with fewer than 200 members that first made contact with the outside world in the 1970s—in order to study their language. (Atini, according to the Suzukis, means “voice” in the Suruwaha language.) Some critics say the couple was also there to proselytize.

The tribe had long practiced both suicide and child killing. The former is an essential part of its cultural tra-

dition and is considered a spiritually desirable death, while the latter has served as a form of population control.

At one point during the Suzukis stay with the Suruwaha, the tribe apparently decided that two children who did not appear to be developing properly should die. The children’s parents committed suicide rather than kill the two. The tribe then buried the children alive anyway, as was the custom, Suzuki says. One, a girl named Hakani, survived the ordeal but was subsequently left to die by starvation. Her older brother kept her alive for a few years, smuggling her scraps of food, before eventually depositing her at the Suzukis’ feet.

“We got in touch with Funasa by radio,” Suzuki says, referring to the government agency that oversaw health care in indigenous territories at the time. “We told them, ‘There’s a kid here who’s



ABOVE: Márcia and Edson Suzuki walk with their adopted daughter, Hakani, on the Navajo reservation in Arizona where they now live and work as linguists, on March 7.  
LEFT: Hakani holds a photo of herself as child, when she still lived with the Suruwaha, on March 7.

dying.” A month went by without the health service retrieving the young girl. “They would say, ‘This is really complicated. To take the child out of there would cause her to lose her culture,’” Suzuki recalls. “And I’d say, ‘Either she loses her culture or she dies.’”

In 2000, the Suzukis decided to take Hakani, then 5 years old, for treatment themselves. After a long boat ride, they took a chartered flight to Porto Velho, the capital of the state of Rondônia in northern Brazil. There, she was diagnosed with hypothyroidism, a treatable condition. The Suzukis nursed her back to health and then attempted to return her to her tribe. “We wanted to show them that she was not cursed,” Suzuki says. “But nobody wanted her.” With Hakani’s parents gone, “nobody wanted to take care of her.” So the Suzukis chose to adopt her.

Suzuki may have believed her actions were altruistic, but they triggered a recommendation by the public prosecutor’s office in the state of Amazonas in 2003 that all nonindigenous people be banned from the land inhabited by the Suruwaha. The prosecutor also noted that the Suzukis had never sought the requisite authorization to live with the tribe.

A report by the anthropologist Marcos Farias de Almeida undergirding the public prosecutor’s injunction charged the Suzukis with advocating for Western values to the detriment of those held by the Suruwaha. By removing Hakani, the Suzukis “stood in the way of the realization of a cultural practice filled with meaning,” Almeida wrote. Bringing her back once she was healthy resulted in a “big mistake.” That was the “introduction in the Suruwaha’s symbolic universe of a possible resolution to a problem, in their lives, by means other than those under their control by traditional practices.” In other words, according to Almeida’s report, the Suzukis had done irreparable

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damage to the Suruwaha way of life by showing that certain physical disabilities didn’t necessitate killing. (Elsewhere in the report, Almeida lamented that the Suzukis, having encouraged a Suruwaha man to get medical treatment for his chronic pain, kept him from resolving the problem the way he originally intended, which was to commit suicide.)

Suzuki agrees that taking Hakani back to the tribe one year later disrupted the Suruwaha worldview—although she considers that a positive development. Because of what happened to Hakani, Suzuki says, other parents began to seek help. In 2005, two Suruwaha families requested medical assistance for their children. They were airlifted out of the Amazon and eventually taken to São Paulo, Brazil’s largest city, where they received treatment. The missionaries were summoned before a congressional hearing in December 2005 to explain their role in the affair. The Suzukis testified that Funasa had provided them with the necessary authorization to travel out of the state. (Funasa never explicitly confirmed the claim.)

**THE CONVERSATION ABOUT CHILD KILLING** in indigenous tribes goes back far enough that it is now possible to discuss the issue with some of the children themselves.

Kanhu and her family left their tribe around 10 years ago with the Suzukis’ help. Today, the family lives in a mod-

est house on the outskirts of Brasília. Adapting to their new reality hasn’t always been easy.

“I had never been around people who weren’t my own. I was terrified. I didn’t even know how to speak,” Kanhu says, recalling her first weeks away from the Amazon. “The food was strange, the clothes too. Everything was so weird.”

Kanhu’s parents express sadness for having abandoned their way of life. “Everyone here stays shut off in separate spaces,” her father, Makau, says, pointing to the rooms in their house.

Now in her last year of high school, Kanhu wears her hair in a stylish bob with a ring in her nose; she’s considering higher education and uses a wheelchair.

In May 2017, Kanhu gave an impassioned speech during a congressional hearing on disability rights. “When the subject of child killing comes up, there are people who will say, ‘Oh, but that’s their culture. We have to respect it.’ Folks, for God’s sake! A culture that involves the death of innocent people has to stop,” she said. “It’s sad to think about how we are ignored. You abandon us, you pretend we’re invisible, since we’re way out there in the middle of the jungle. You pretend that we’re nothing and use the culture excuse. I ask you one more time to rethink that. We’re here.... We’re screaming for help. We’re screaming for rights.”

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