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2.1—PARTICIPATION IN ILLEGAL ACTIVITIES

For the first few days of field work in Mountaintown, I had a hard time locating where the men were during the day. Finally, several days after I arrived, the woman at whose house I was boarding introduced me to her son-in-law, John. He took me out to the higher pastures where the crews were working at that time of year. It was a Friday, and I accompanied him while he paid his crews. I knew virtually nothing about the running of sheep and cattle operations. Consequently, all my questions were very basic, the answers were mysterious to me, and the terminology was unfamiliar.

We ate lunch with one of the crews and sat around and talked for a couple of hours. John and his friends then went off to do some work, and they sent me into town to get some beer, which was about the only useful thing I could do. As I drove John's truck down into town, about twenty miles away, I noticed that it was extremely difficult to shift from first to second gear. Instead you had to go from first to third fiddling with the clutch. But I managed it somehow, reached the town, and picked up the beer. We drank and talked most of the afternoon.

We returned to Mountaintown for dinner, and afterwards we ended up at a bar in the next town, which was several miles away. In addition to John and myself, John's father-in-law, Ed (the husband of the woman with whom I was boarding), joined us. By about nine o'clock in the evening we were all feeling pretty happy. We had been drinking what I thought was a tremendous amount of beer, but since I was new to the culture, the people, and their patterns of socializing, I really didn't know what was considered heavy drinking. I did notice that Ed, who had not been with us during the day, must have been drinking beforehand, because he had some trouble walking and talking.

We remained in the bar about two hours, and Ed continued to drink rather heavily. Finally, he said that he had to go home; his wife disapproved of his drinking. At that point it really didn't matter, but he felt that he had to leave, so he asked John to take us all home.

John said, "Just take my truck and I'll get a ride with someone else." Apparently Ed didn't bother him again, but went outside, got into the truck, and drove off.

I became a little concerned in overhearing the conversation. I was worried that John's father-in-law was so drunk that either he wasn't going to make it home or he wouldn't be able to operate the gearshift in the truck. I mentioned the shifting problem to John, but he didn't reply.

I suppose I could have offered to drive Ed home, but at the time I did not think of it. I had been drinking much more than I was accustomed to, although I felt sober. There is something about the field-work experience that keeps you sober long past your normal inebriation point. Anyway, I was functioning and thinking quite well—but I didn't think of that alternative.

About half an hour after Ed had left the bar—we were still there drinking and socializing—he came back. He told John that he had burned out the engine of the truck and ruined it. Ed was not making a lot of sense—he was still pretty drunk—and John just ignored him. But it occurred to me that Ed probably hadn't been able to get the truck into second gear and had driven it faster and faster in first until he had probably broken a rod. However, John brushed him off and said it wasn't true. He thought his father-in-law had never gone anywhere but had fallen asleep in the truck for a half hour or so. Ed went over to the bar, got another drink, and then disappeared.

Around one o'clock in the morning the bar began to close, so we had one final drink and left. John couldn't find the truck anywhere. Then he remembered what his father-in-law had told him about it, so he arranged for a ride home with a couple of friends in their pickup truck.

Billy and Sam weren't close friends, and I never saw them socializing with John during the rest of my stay in Mountaintown. But they said that they would give us a ride. The four of us got into the pickup truck and drove several miles up the road, where we came across John's truck sitting in the middle of the road. The headlights were off, and there was a huge pool of oil in the road underneath the engine. Everyone got out, and at this point John remembered what his father-in-law had told him about ruining the engine. He didn't show any signs of being upset, perhaps because he'd been drinking heavily. Again, I had been in town only three days and hadn't yet learned to pick out any clues to the way people demonstrated their feelings.

We all looked at the engine; the others crawled under the truck and poked around. The three of them finally agreed that the engine had been ruined. I wasn't sure how they arrived at this decision. But the consensus was that the engine would have to be replaced and would cost about \$1,200. At this point, John was clearly upset. He didn't think he could possibly afford that much money. Yet the truck was his only means of transportation; he needed it every day to get to work.

After it had been determined that the engine would have to be replaced but that John could not afford a new one, the three men decided they would have to get the insurance company to pay for it. Billy asked John if he had insurance; he nodded yes. The three of them decided they would have to figure out a way to make it look like the truck had accidentally caught fire.

I was silent during this discussion. No one asked my opinion, but they seemed to want my agreement that it was a terrible situation and that John couldn't possibly afford to replace the engine. And I agreed with them on these counts.

They decided to tow the truck up the road to a deserted stretch where they could arrange it to look like an accident. John and Sam got into John's truck, I climbed in with Billy, and we towed the truck up the road to an area where it would be safe to burn it.

When we'd placed the truck, we spent about ten minutes deciding how the scene was to be set up. John had a large can of gasoline in the back of the truck, which would have made quite an explosion if it had caught fire, so we removed it. We also took several expensive tools out of the cab. The men tried to figure out how much they would have to leave to make it appear as though it had been an accident and how much they could salvage, because they knew John would not get paid for the contents of the cab. We spread some gasoline around the inside of the cab. It was decided that John's story would be that he was driving along and flames started coming up through the floor boards into the cab. So he turned off his engine, jumped out, and tried to throw out as many of the tools as he could.

I was beginning to feel somewhat uneasy at this point. I tried not to do anything, although I realized that simply by being there I was choosing to participate to some extent. The question of choice is a tricky one. I suppose that when I left the bar I could have started walking down the road, avoiding a situation which I had some inkling about. However, my decision to accompany the three men was largely influenced by the fact that I was new in town. After three days it was exciting to feel a part of a social group. The entire day had been very productive in terms of establishing contacts and initiating field work. I was worried about how long it would take me to be accepted in the town and to find good informants. My time in the field was limited, and I didn't want to jeopardize any opportunities while there. I distinctly remember thinking about this as the others were throwing things out of the truck cab and we were looking up and down the road to see if anyone was approaching.

I remember taking only a couple of things out of the cab. I really didn't get too involved for the simple reason that I didn't know what to take out and what not to, and I didn't have the confidence to act out the scenario. It was more for that reason than any sort of legal or moral reason that I didn't participate more fully.

While they were arranging the scene, the three men decided I was not to be involved in the accident. The story was that John had been driving alone in the truck and I was coming up the road with Sam and Billy in their pickup. We were all returning from the bar when we came across John, whose truck had just caught fire. He was in the midst of throwing things out, so we stopped to help him.

Then there was the problem of how to notify the fire department. It was decided that Billy would take the pickup, drive to the nearest pay phone, and call the fire department. We must have become quite sober by this time, since our calculations were more careful now. We tried to figure out how long it would take for Billy to make the call and the fire truck to arrive, so that we would know exactly what to be doing at any given moment—in case people came by before the fire truck arrived. At this point, I did contribute to the planning by estimating that it would take about ten minutes to get to the booth and make the call. Although this wasn't a crucial part of the operation, I felt I was becoming a captive of the developing situation.

When the fire truck arrived, followed by six or seven cars—everyone in Mountaintown liked to go to a fire—the four of us were shoveling dirt from the side of the road onto the truck, which was by then blazing quite dramatically. The fire was put out and everyone stood around. There were a lot of people there whom I

hadn't yet seen in the three days I had been in town; many of them didn't know who I was either. I didn't talk to them at the scene of the fire, but they all knew I was there. This is an interesting point, because the description of the incident subsequently presented to the insurance company involved three men, excluding me. The town accepted this. In a sense, they were protecting me and themselves, as well.

On the way back to my house—by then we were all sober—John started to think about what he had done and what the consequences might be. There were two things I particularly remember talking about. One was that Ed should not be told what we had done. John predicted that his father-in-law wouldn't remember anything about the evening after nine o'clock because he had been so drunk. If Ed claimed that he was the one who had driven the truck and burned it, we would deny it. John said that he would talk with his father-in-law in the morning to make sure he didn't remember anything about the latter part of the evening.

The second thing I recall talking about was my role in the incident. John said, "Do you agree to this story that we have put together about the three of you driving along and coming upon me?"

I said, "Yes."

He asked if the insurance agent were to ask me whether this story was correct, would I say yes. I said that I would. But it was at this point that I really began to wonder what I should be doing about the situation. I had never imagined being so involved after only three days in Mountaintown, let alone having to resolve this predicament.

Several days after the burning, I learned that John had bought a used truck. He had calculated what he would get from the insurance company, and using that as a guarantee for payment, he had purchased another truck.

During the rest of my field work, until I was preparing to leave, my involvement in the events of that night was never discussed. As a matter of fact, the event itself was never discussed except for two minor occasions. The day after the burning, someone remarked casually to me, "What a terrible thing happened to John last night!"

And I replied, "Yah, I guess so."

Even though I saw Ed frequently during the rest of my stay, I never mentioned the incident to him nor he to me. But I did hear later from another son-in-law that he did not think that the burning really happened as was alleged. I expressed some surprise, and he gave me the "real" story, which he had heard from Ed. I was not connected with it. Ed apparently had agreed to go along with the story John told him about the burning, but did not believe it.

A couple of weeks before I was to leave, John asked me if I wanted to go have a beer with him. We stopped along the road, and he said that he wanted to talk with me about the truck burning. This was the first time that he had mentioned the incident to me since it had happened. He said that at that time they really did not know very much about me, so they tried to keep me out of it. He didn't say for

whose sake, but it was obvious that it was for the sake of both of us. But now the insurance company was giving him a lot of trouble; they didn't believe his story. Since the incident, he said, he and the others had gotten to know me and like me, but he was worried that the insurance company was going to take him to court. He wanted to know whether I would come back and help him if this happened.

This request really caught me off guard, for the second time in my field work. I had hoped that the incident would be forgotten, because I had occasionally felt uneasy about my role that evening and about having compromised my own beliefs, to a certain extent. John's request raised the whole question again. More specifically, it also raised the possibility that I might have to tell the insurance investigator a fabricated story and, worse, go to court and commit perjury. John was still sticking to the original story that he was alone in the truck when it caught fire. The only difference now was that he wanted to add a third person—me—to the pickup which came up the road as the truck was burning.

I asked him if he really thought that this would make his case stronger. He believed it would because I was an outsider and would lend credibility to the story. The investigator had claimed that John's friends were sticking up for him. If I were to support his story, it would bolster his claim.

I remember thinking very clearly about my own motives and interests in this situation. To forestall having to answer John's request, I started talking about whether the investigator had the legal right to bring the case to court. Then I tried to find out more about the aftermath of the burning to determine how likely it was that John would actually have to call on me.

According to John, the burned truck had been taken to the local truck dealer from whom he subsequently purchased the used truck and where the insurance agent had inspected the burned vehicle. In the dealer's office, the insurance agent challenged John about his story. The agent said that he had found gasoline spots on the floor of the cab and this indicated arson. Furthermore, the tools and other equipment had been taken from the cab. At this point, John apparently lost his temper and started yelling at the agent. After the dealer calmed him down, John told the agent that he worked with gasoline-powered equipment and that, as a result, he always had gasoline on his clothes, oily rags in the cab, and gasoline stains on the cab floor. Later, the dealer warned John that he had really riled the insurance agent and would have to be careful, as it seemed to him that the agent was going to go after John with a vengeance.

After John told me about this encounter with the insurance agent, I began to calculate on the likelihood of my being called upon, and I started hedging on my support. He had been somewhat distant with me after the burning incident. When I had questioned him about his operation, he had been evasive—much more so than other operators. I didn't know whether to attribute this response to his personality or to the nature of his operation, which was a rather "fly-by-night" affair. His high initial investment was based almost entirely on credit and his permits for range use were short-term. These factors made his operation more risky than most of the others. In any case, as an informant he had been of little value.

John repeated his question of whether I would come back and help him if he needed me. He volunteered to pay for my expenses if I would come back and testify for him.

I was interested in studying John's operation; he was one of the more marginal—and more colorful—operators in town. On one level, I thought of suggesting some sort of reciprocity; that is, if I could do something for him, would he do something for me? At the same time, I was trying to calculate how likely it was that I would have to testify for him. I figured that if there wasn't much chance that I would have to make good my obligation, it would be worth the risk of saying I would come back if this would make him more willing to talk about his operation. What I found surprising—and somewhat disconcerting—about my reactions to John's request for my support was that I was as concerned about the effect my decision might have on my own data gathering as I was about the legal and ethical aspects.

During my stay in the field, I had developed some very strong attachments to many of the people, and not just because they were my informants—some of my best friends were some of my worst informants. I came to care about these people; about what might happen to them as a result of outside forces; and about what they could do to protect themselves and their way of life. These feelings obviously complicated my motivations. However, I will never know exactly to what extent I sacrificed my moral views for my own professional and research interests or for the sake of developing friendships with several of the people.

I had come to realize that the truck burning incident was not unusual in Mountaintown. People occasionally burned their houses, their cars, or their rangeland—this was one of their methods of dealing with outside agencies over which they had few formal or legal means of control. Of course, they recognized, just as I did, that this type of behavior was defined as illegal by the larger society. However, their attitude toward such behavior was different from what mine had originally been. Thus, during the conversation with John, when I was trying to make a decision about assisting him, I tended to rationalize the truck burning as part of a process used over the last half century by the people of Mountaintown to deal with an ever increasing threat to their livelihood and well-being by encroaching outside agencies and corporations. They had few formal or legal means of recourse. As a result, they had developed these illegal methods to bring some sort of control over the situation.

Of course, it was not easy to excuse the burning. I was working in a setting in which I was a citizen of the same society as the "natives." I was committed to a particular legal system, and was acutely aware of my obligations as a citizen. I did not find it as easy to explain away illegal behavior in my own country as I might have in a foreign country, because I felt a more personal commitment to the legal system in question.

Finally, there was the matter of choice. How much choice did I have in participating in the original event and how much choice did I now have, faced with John's request? Originally, I had thought that the anthropologist had little choice in such illegal situations. During my time in the field, I continued to regard the event of the truck burning as offering few, if any, alternatives. But, to an extent, I had been naive. When Ed first told John that the engine was ruined, it occurred to

me that he might be right; but later, when we drove up the road to look for the truck, I didn't anticipate the actual consequences of finding it ruined. At the time, I was interested in finding transportation home. I didn't know anyone else to request a ride with, and walking was an unappealing alternative. Once we came upon the truck, I couldn't avoid observing what was going on. They had to do something quickly; they couldn't take me home and then come back because another car might come along and see the mess in the road. So in a sense things happened, but I had failed to anticipate their ramifications, and thus was caught up in the ensuing events and in the scenario that was constructed.

However, in regard to John's request to change the story and involve me in it, I had considerably more choice. It was so near the end of my stay that I could have easily postponed giving him an answer until I had left Mountaintown and returned to my university at which distance I could write him a letter saying that I didn't want to be a part of the story.

In fact, I initially tried to evade his request by arguing that even if I did agree, I would not be any good at it. I pointed out that I had never been in a situation like this before, involving arson, fraudulent claims, and perjury. Furthermore, the insurance agent was probably a shrewd person, with which John agreed. I continued that I probably couldn't stand up to the questioning in court, and I might hurt his case rather than help it. He admitted this was a possibility but thought I could handle it. I was much less confident of my ability. I hadn't been very competent in helping to set up the burning scene; I had never been in court before, nor had I ever been required to answer such questioning honestly, let alone dishonestly. I was concerned both about hurting John's case and about revealing the fact that I was committing perjury. I wondered, too, about what effect such a predicament would have on my relations with the rest of the community. John replied that he knew the dangers involved but he still felt he needed my support. He was beginning to sound somewhat desperate. This made me even more nervous because I reasoned that if he needed me that badly, the case couldn't be too far from court!

By the end of our conversation that afternoon, I had tentatively agreed to his request. However, I insisted that I would have to have more time to think about the situation. I wanted to help him as much as I could, but I wasn't really sure I could handle the courtroom situation. I added that I didn't want to hurt him or me.

In my two remaining weeks in Mountaintown, John and I did not discuss the case again. I was content to let my deliberately ambiguous agreement stand; apparently, John was also satisfied to leave the matter alone. However, he continued to be an uncooperative informant. Since leaving Mountaintown, I have received no further word from John.