

## 1

## The History of a Political Idea

*Gifts, Trusts, Reparations, and Other Fetishes of International  
 Solidarity*

*The Gift* is probably the best-known essay by a French anthropologist. It was written by Emile Durkheim's nephew Marcel Mauss for the first volume of *L'Année sociologique* published after Durkheim's death.<sup>1</sup> The universal theory of gift-giving practices it provides has been at the center of many postwar disputes between French social theorists,<sup>2</sup> from Claude Lévi-Strauss<sup>3</sup> to Pierre Bourdieu<sup>4</sup> and Jacques Derrida,<sup>5</sup> as well as many central United States (US) theorists.<sup>6</sup> This influence might explain why it is still required reading for anthropology students in France, the United States, and many other places.

At the same time, as Lygia Sigaud has demonstrated, there are many “discontinuities in the interpretation of *The Gift*.” In particular, she notices a “general indifference to Mauss’s preoccupations with rights and obligations”<sup>7</sup> in the postwar reception of *The Gift*, and a contemporary focus on the moral and non-utilitarian webs of meaning associated with everyday (market) exchanges.<sup>8</sup> This focus on everyday forms of “commodity fetishism”<sup>9</sup> – when commodities are granted the personal qualities of the former possessors and the moral power of the community which produced them – although associated with remarkable developments in contemporary social theory,<sup>10</sup> contrasts deeply with Mauss’s interest in understanding international exchanges between sovereign entities and in pursuing a dialogue with legal theorists on the role of evolving conceptions of sovereignty in changing forms of trade and commerce.

Indeed, this book argues, Mauss conceived of his essay as the coronation of a decade-long interest in the history of international contractual obligations among sovereign groups (tribes, empires, nations, etc.), expressed when the latter exchange *prestations* (a term difficult to translate into English, which refers to the services given), “apparently freely given, yet coercive and interested.”<sup>11</sup> Mauss’s focus on the question of sovereignty, its origins and manifestation, as well as on gift exchanges conceived as visible fetishes of international solidarity, has been lost to most sociologists and anthropologists who have applied his model to the local rather than international level.

Why is this so? What was Mauss’s real focus when he wrote his famous essay on the origins of international solidarity, and why have we forgotten it? What were the

academic conversations and public controversies in which his essay intervened? Was it merely an essay in the anthropology of law, contracts, and exchanges, or was it also a political tract that placed anthropology at the forefront of debates on global governance? How did Mauss conceive of the relationship between his anthropological essays more generally, and his political reflections, in which he discussed the best ways of restoring order and solidarity in a shattered European political landscape, marked by Germany's defeat and French expansion in its new colonies? If the two sides of his work were so linked, what was the legacy of his anthropological approach to international solidarity in debates about global governance before and after decolonization?

This book tries to answer these questions by historicizing the production and reception of Mauss's ideas on gift exchange, especially as the latter have intersected with other ideas developed by international law scholars and colonial administrators about international financial and global commercial governance, both within Europe and between Europe and the rest of the world. The argument is situated at the confluence between the sociology of political ideas and expert knowledge, sociological studies of global governance, and the intellectual history of colonization and decolonization, particularly (but not only) in the French context.

Building upon recently published scholarship which highlights the role of the early twentieth-century "return of the gift" – to cite Harry Liebersohn<sup>12</sup> – as a political discourse, grounded in the new discipline of anthropology, this book indeed starts from the premise that the anthropology of gift exchange was not just a scholarly preoccupation with the local mores of distant and "archaic" societies. In fact, when Mauss articulated a discourse on the exchange of gifts, he built upon, and reframed, the work of political and legal theorists who sought to answer centuries-old questions: What is the good form of government? How can political societies of different natures solve the problem of international order while maintaining the freedom of, and the solidarity between, their members? How can an international society sustain itself over time and develop a sense of solidarity among its interacting sovereigns when their constitutional politics differ drastically in kind?

In showing how different generations of anthropologists, colonial administrators and legal scholars used Mauss's model of gift exchange to answer these questions, this book shows how Mauss, his followers and his critics applied the notion of gift exchange in various contexts to reflect upon international relations between sovereign entities; and how they thus placed anthropology on equal footing with international law and economics in debates about good global governance. In particular, it recovers and traces Francophone expert struggles over what good governance has meant since the interwar era in the French field of power – broadly conceived – through the lens of a series of contemporary distinctions between different political imaginaries of solidarity, shaped by different disciplines and articulated around different conceptions of Europe's role in the management of global affairs.

## 1 THE IDEA OF GIFT EXCHANGE AND THE PROBLEM OF INTERNATIONAL ORDER

This book positions itself in the growing literature on global governance that is concerned with understanding the intellectual underpinnings of evolving international legal arrangements in the twentieth century before and after decolonization: in particular, the relation between the evolution of international law and the changing institutional architecture of global governance. It seeks to locate Mauss's specific contribution with *The Gift*, and that of some of his followers and disciples who drew inspiration from that essay, in what Michel Foucault would call the domain of "governmentality,"<sup>13</sup> and, more specifically, the type of discursive techniques that proliferated in the twentieth century to govern the international circulation of goods, commodities, financial obligations, and other material exchanges which tied together nations in a dense web of contractual obligations. It adds a new building block to our comprehension of the role played by various disciplines (anthropology, international law, economics) to the shaping of discourses and practices associated with the rise of European solidarity, the end of colonialism, and the beginning of globalization, by looking at the role of French-speaking anthropologists and their epigones in these debates – whose importance is often overlooked in recent intellectual histories of global governance.<sup>14</sup>

Methodologically, it follows what Foucault called a "genealogical approach,"<sup>15</sup> as it traces the evolution of the model of the gift in the long twentieth century back to Mauss's writing. By model, I mean the formulation of a general law which expresses a relation of causality: here, between the circulation of material things and the creation of a moral sense of obligation between contracting parties. Indeed, unlike other monographs on legal intellectual history, which focus on one distinct period,<sup>16</sup> this book thus traces the genealogy of various conceptualizations of gift exchanges within French anthropology and their relation to debates on global governance over more than a hundred years: from the European division of colonial territories in the late nineteenth century, to the attempts to recreate conditions of European solidarity with the League of Nations, the transformation of the United Nations under the pressure of decolonization, and attempts to create a more equitable New International Economic Order (NIEO) as popularized by Third World chief jurist and diplomat Mohammed Bedjaoui (1929–) during the oil crises of the 1970s.<sup>17</sup>

The recent book *The Return of the Gift: European History of a Global Idea* by Harry Liebersohn prepares the groundwork for such an endeavor.<sup>18</sup> Liebersohn's work is particularly interesting, for it traces how the circulation of gifts became an object of problematization in the discourses on colonial governance and what we could call today North–South relations of those late eighteenth- and early nineteenth-century British philosophers concerned with the establishment of a modern form of "good government" at the time of the expanding colonial administration of ethnically diverse populations by the chartered companies, like the East India

Company. The administrators-turned-ethnologists in these companies sought to better understand the logic of the colonial subjects' economic practices for the purpose of extracting more resources without risking political revolts.<sup>19</sup> In so doing, they rehabilitated the ideology of "gift giving as an exchange of favors to create bonds of obligation and loyalty, which was a pervasive feature of English as well as Indian society, with patronage between more or less powerful politicians, between authors and aristocrats," but which nonetheless came under the attack of utilitarian "intellectuals of nineteenth-century Europe."<sup>20</sup>

In particular, exchanges of gifts as a way of creating social and legal obligations across societies and nations (or "races," in the language of the time) appeared to British utilitarian thinkers like James Mill to "be a vestige of the old order" abolished in continental Europe by the French Revolution, "and a disturbance in a modern democratic society."<sup>21</sup> Utilitarian intellectuals, like Jeremy Bentham, drew sharp distinctions between their own practices of government – enlightened, rational, modern, formal – and the practices – personal, unpredictable, premodern, based on the material exchange of gifts – of those whose rule they replaced in the overseas territories where colonial private interests were expanding. Even if some of the utilitarian apostles of bureaucratic rulemaking agreed with Max Weber that, while the modern administration of the economy liberated political subjects, it also carried the risk that individuals would experience life in an "iron cage,"<sup>22</sup> most of them believed it was necessary to break down the authority of interpersonal networks. Thus, the model of the gift disappeared from the realm of political theory in most of the nineteenth century, although it survived in the everyday practice of colonial administrators.

Before the turn of the century, the importance of the gift survived only in "amateur" rather than professional anthropological discourses produced by administrators of the East India Company: the latter not only practiced the exchange of gifts with Indian authorities so as to establish the legitimacy of their presence (and thus fell under the British utilitarians' accusations of corruption and undue personal enrichment), but they also turned themselves into field ethnographers, forming what Marc Flandreau calls the "bureaucratic modality"<sup>23</sup> of mid-nineteenth-century British anthropology. Still, these amateur nineteenth-century anthropologists kept their gift exchange practices outside the field of political theory, and the institutionalization of anthropology had yet to take place in the greatest colonial power of the nineteenth century – the British Empire.

The model of gift exchange found its way back to theories of good government, as Liebersohn shows, through early twentieth-century anthropology rather than in political theory or economics: more precisely, through anthropological writings published in English by German anthropologists expatriated in the United Kingdom and the United States, and by Frenchmen like Mauss. Although *fin-de-siècle* British anthropology was largely at the service of financial investors and bond-issuing companies,<sup>24</sup> some exceptions did exist: Franz Boas (1858–1942), Richard

Thurnwald (1869–1954), and Bronislaw Malinowski (1884–1942) were the three among the most important fieldwork anthropologists – in contrast to Mauss, who forever remained an armchair anthropologist and philologist – whose writings aimed to rehabilitate the gift as a model of good global governance. Before the writings of Mauss, they each tried to demonstrate that there was nothing premodern in this form of government, and that in fact, those “modern” political societies which denied the legitimacy of obligations formed out of the material circulation of gifts were not only less reflexive but also more unjust and threatening to individuals than those which had an appreciation for the wisdom of the obligations created through interpersonal exchange.<sup>25</sup>

After Mauss, the anthropologists’ scholarly preoccupation with gift exchange marked the return in political discourses of a particular answer to the centuries-old questions raised by political theorists: what is the good form of government? Can we – and if so, how to – design institutions capable of imposing a quasi-legal obligation to bond the contracting parties of an international exchange? How could this sense of obligation be shared when contracting parties (nations, ethnic minorities, empires, colonies, etc.) shared no other cultural, technical, religious, legal, and moral characteristics in common, other than the exchange itself? Mauss proposed that the observation of the exchange of gifts in many different societies could serve to draw lessons applicable to understand and improve the relations between European and non-European political societies.

Analyzing the legacy of Mauss’s ideas on gift exchange in such a manner thus requires that we follow in the footsteps of Steven Shapin and Simon Shaffer who, along with Bruno Latour, have developed a socio-history of ideas, in which academic disciplinary discourses (including physics but also anthropology) are treated as original solutions to the problem of knowledge as well as providing solutions to the political problem of order; and political discourses are treated as also providing solutions to the epistemic problems of knowledge, not just to the political problem of order.<sup>26</sup> This “symmetrical” methodological perspective on *The Gift* starts from the assumption that Mauss’s political and anthropological writings were intrinsically connected, and that his main source of political concern and theoretical reflection had in fact an international rather than domestic dimension.<sup>27</sup> In other terms, Mauss’s anthropology was an attempt to answer the political question of order in general and international order in particular, and his political writings on sovereign debt crises<sup>28</sup> or international obligations attempted to demonstrate the veracity of his anthropological thesis about the centrality of gift exchanges in the making of war and peace, conflict and order, brutality and civilization.

Whereas Liebersohn’s story starts with the British rejection of the model of the gift in nineteenth-century political theory and ends with its return in early twentieth-century Anglophone anthropology,<sup>29</sup> this book starts with Mauss’s political and anthropological writings and follows the legacy of this idea in French (or rather, Francophone) political, anthropological, and legal discourses deployed by a wide

range of public intellectuals, from French colonial apologists to Third World intellectuals and legal theorists, who wrote about economic cooperation between the North and South in the context of French colonization and decolonization. It thus shares with Liebersohn's a key premise: that Mauss's ideas on the gift were part of a transnational discussion between anthropologists, legal scholars, political theorists, and statesmen on the management of international commercial and financial relations in general, and colonial relations in particular; and at the same time, that it is imperative to capture the association between anthropological, legal, and political ideas in a diachronic perspective, focused in one context (either Anglophone or Francophone), while being attentive to the cross-pollination between the two traditions.

In doing so, the argument intervenes in a growing literature on the place that anthropology and the social sciences have served in the making of colonial rule as well as in the operation of international markets. Within the latter field, since the seminal writings of Tal Asad, Bernard Cohn, and up until the more recent history of anthropological writings and their relation with financial globalization by Marc Flandreau, historians have focused mostly on the Anglophone or German-speaking literature produced in anthropology.<sup>30</sup>

Historians of French anthropology, like Alice Conklin, Benoît de L'estoile, Federico Neiburg, and Lygia Sigaud, to cite just a few, have mostly focused on the relation between colonial administration and the French anthropologists' work in the field of museography, as the latter justified their fact-collecting missions by claiming to help the colonial subjects safeguard a cultural heritage – as in the preparation of the famous 1931 Colonial Exhibition in Paris.<sup>31</sup> But Maussian anthropologists not only helped foster and shape a taste for “the primitive,” through their counseling role in the preparation of colonial exhibitions or the private collection of non-Western artifacts, African masks and other fetishes, they also developed a discourse on the power that gift exchanges have to hold societies together. While building on French historians' narratives, this book digs deeper into the history of the discipline of anthropology and its relation with colonial administration. Indeed, it shows how the core of French anthropology's classics – like Mauss's foundational essay *The Gift* – is filled with preoccupations that reflect broader social considerations deeply enmeshed with the politics of European powers inside and outside Europe.

This book thus fills a gap in the history of French anthropology, as it identifies the traces of Mauss's interventions in the political debates of the time, the echoes and discursive shifts, the repetitions and euphemisms, and all other influences that can be traced between Mauss's texts and those of his contemporaries, beyond his immediate community of intimates and colleagues, and across generations, extending for instance to the study of anti-colonial thinkers in the age of independences.<sup>32</sup> In so doing, the book also draws on a series of monographs by French political historians who have explored the trajectories and writings of these intellectuals,

academics and legal scholars with whom Mauss interacted.<sup>33</sup> But, strangely enough, most of these historians have left the figure of Mauss outside of their investigation, and thus, have not paid attention to the importance of the model of the gift in the political reflections of Mauss's contemporaries – maybe because, in contrast to Jaurès, Blum, or Thomas, Mauss remained an academic throughout the years, and did not reach commanding positions in any government.

In exploring this link, this book thus unearths important changes in the perceptions of gift exchanges from the prewar to the interwar and the postwar eras, from the question of the Congo to the question of Algeria, and the attempts to decolonize previous models of gift exchange. This deep relation between the model of the gift, the colonial imaginary, and anthropology of “inter-societal” relations may also explain, so I claim here, that these very ties then made some aspects of Mauss's work unacceptable at the time of decolonization, leading his work to be reinterpreted accordingly. If the publication of Mauss's *The Gift* may have signaled the return of the gift, it was also the moment when it reached its zenith, as Mauss's solution to the problem of international order was later discarded by many disciplines, including the adjacent disciplines of economics and international law, at the time of decolonization. Assuming the philosophy of the gift may again come back in the near future, the title of this book could have been “the eclipse of the gift.”

This book offers a new interpretation of Marcel Mauss's *The Gift* and of its legacy in the social sciences as well as in international public law and finance – all fields addressing the politics of sovereignty and engaging in debates about global governance. Taken together, the following chapters will portray a very unorthodox picture of the epistemic and political goals that Mauss's model of the gift was meant to achieve. From the 1970s onward, *The Gift* was thus read as providing a universal law explaining how interpersonal and disinterested relations can emerge from the circulation of gifts at the local level,<sup>34</sup> most notably by a Francophone movement of social scientists, economists, sociologists, and anthropologists, who in the early 1980s founded the Mouvement Anti-Utilitariste en sciences sociales (associated around their review MAUSS) devoted to the empirical study of gift-making practices and the history of Mauss's ideas (their production and reception).<sup>35</sup> This book inevitably challenges their interpretations of Mauss's model of the gift, as these social scientists drew from Mauss the idea that even in modern capitalistic economies, pockets of “gift exchange” modeled after noncontractual and non-interested relations (such as the “social economy” and “non-monetized exchange systems”)<sup>36</sup> continued to exist, and that they needed to be unearthed and lauded for the good they provided to both local and larger communities.<sup>37</sup> This debate also crossed the Atlantic to the United States, where institutional economists like George Akerloff<sup>38</sup> took inspiration from *The Gift* to theorize about the incompleteness of contracts and the necessity of preserving social relations based on trust in the economic sphere – thanks to the protection of “gift economies” within otherwise distinct “market economies.”<sup>39</sup>



Not only were these concerns only secondary (if present at all) to Mauss when he wrote *The Gift*, but my argument also suggests that he may not have been in agreement with the reading that MAUSS and their Anglophone epigones (like bestselling anthropologist David Graeber) made of his text.<sup>40</sup> In fact, this book challenges the notion of the gift economy conceived as a coherent self-enclosed sphere where local economies are ruled by non-market norms, motivations, and mechanisms. In contrast, it claims that Mauss's model of the gift (developed not only in *The Gift* but also in *The Nation* and his political writings) serves to understand heterogeneous systems of international trade and finance which intersect across multiple sovereignties, traversed by various systems of law and varied forms of political sovereignty, in which contracting parties follow self-interested as well as disinterested motivations. As Mauss famously wrote, the gift or the "system of total prestations" is a "total social fact,"<sup>41</sup> which partakes in economic logics as much as it belongs to the realms of law, morality and politics, and whose specificity lies in its hybridity: indeed, the system of "prestations" may be what various political societies can hold in common when they differ in every other respect (law, politics, culture, morality, techniques, etc.).

To understand what his notion of gift exchange truly meant, and why Mauss and some of his students remained obsessed with the question of international solidarity when they promoted the study of gift exchanges, it is necessary to understand how this obsession came to be, and how it can guide our reflections on the contemporary and future organization of international relations in their economic, political, and legal dimensions. These are the key objectives of the following chapters.

## 2 OVERVIEW OF THE BOOK'S CHAPTERS

After this introduction, Chapter 2 presents the broad methodology, the scope of the analysis, as well as the cast of intellectuals whose writings are surveyed in the other chapters and their overall relations of co-optation, conflict, and competition in the French academic and colonial fields. Methodologically, this book not only seeks to trace the genealogy of theories of gift exchange in anthropological, legal, economic, and political discourses, and to relate the latter with sociological changes affecting the place of anthropology in the French academic field; rather, it also claims to provide some important lessons on how to conduct a historical sociology of intellectual debates from the colonial to the postcolonial contexts. Indeed, it moves beyond a purely intellectual history project by drawing on sociological concepts first operationalized by Christophe Charle and Pierre Bourdieu in the sociology of intellectuals and intellectual fields.<sup>42</sup> Although a classical Bourdieuan field-theoretical approach is useful to characterize how Mauss and his network of peers situated themselves in the French field of power, it shows why it is important to move beyond this purely national perspective and to pay special attention to the



transnational ties existing between the colonial and the international fields, as in the neo-Bourdieuian scholarship developed by George Steinmetz.<sup>43</sup>

After surveying the contours of the metropolitan and colonial fields in which Mauss became an important player at the time of the publication of *The Gift*, Chapter 3 then situates Mauss's thinking on the international solidarity created by the exchange of gifts, which he published in *The Gift* in 1925 as part of the 1923–4 volume of *L'Année sociologique*, within the intellectual trajectory of the Durkheimian school of sociology, and the specific understanding of the notion of “solidarity” that it developed in a context in which the notions of European order were deeply questioned. It focuses more specifically on the relation between Mauss's anthropological reflections and his political writings on European financial issues and the question of German reparations in the early 1920s. Indeed, Mauss's essay *The Gift* addressed similar themes as those he discussed with colleagues and friends on the politics of European financial solidarity, sovereign debt cancellation and the question of German reparations paid to the Allies. Mauss was fully involved in the collective effort led by French solidarist thinkers, legal scholars, and politicians who were responsible for inclusion of the reparations provisions in the Versailles Treaty, which tried to settle the peace. In arguing that anthropology shows that the material exchange of gifts has always created a sense of reciprocal obligation among the sovereign parties to the exchange, Mauss proposed a most optimistic vision of the power of gift exchanges to restore European cooperation, financial solidarity and sustainable peace after the traumatic experience of the Great War. Through the accumulation of historical and ethnographic precedents, Mauss's legal anthropology also took a jurisprudential turn, as he sought to convince his readers that the policy of partial sovereign debt cancellation – where the idea of a moratorium on payments figured prominently – which he promoted, was grounded on a vast survey of anthropological facts. Indeed, Mauss made clear both in his 1925 essay and in his political writings of 1922 and 1924 that the Allies needed to give the Germans time to recover economically before they could give back to the neighboring populations who had suffered during the Great War.

In many ways, the story of German reparations and European solidarity proved Marcel Mauss wrong: the exchange of services (“prestations”) and goods does not always create a sense of moral obligation and solidarity between the exchanging parties. Even though one could argue that, on the contrary, Mauss's repeated warnings to his contemporaries went unheeded, and the specific rituals he claimed were necessary for this sense of European solidarity to emerge were disregarded many times by the French and German nationalists, Chapter 4 shows that Mauss himself took this political failure as an opportunity to reflect more generally on the conditions that could lead international economic exchanges to either destroy or strengthen moral and political solidarities between sovereign parties. To show how Mauss's earlier reflections on European solidarity were generalized to the broader colonial context, Chapter 4 first explores the range of colonial discourses that

emerged before the Great War from within the socialist and solidarist circles in which Mauss participated. It focuses in particular on the criticisms raised against the abuses of the chartered companies in the Congo which were voiced by Mauss's socialist friends in the French national Parliament and by the French Committee for the Protection and Defense of Indigenous Populations (hereafter, the Indigenous Committee), in whose activities Mauss participated in the 1900s. Second, it presents a more reflexive and less-known phase in Mauss's thinking about the power of gifts to foment a sense of "inter-societal"<sup>44</sup> (or international) solidarity in the colonial context. Mauss's publication record suggests that he abandoned his reflections on gift exchange after his 1925 publication of *The Gift*. But now that we can read Mauss's manuscript *The Nation* (which Mauss continued to edit at least until after his election to the Collège de France in 1931, although it remained unpublished in its full version until 2013), thanks to the formidable work of transcription which was conducted by Jean Terrier and Marcel Fournier, we can better understand how Mauss's earlier reflections on solidarity found in *The Gift* related to debates about French interwar colonial policy, in which Mauss also participated by training colonial administrators at his Institute of Ethnology. With his writings and teaching, Mauss presented a coherent research program and a progressive political agenda which moved away from the mercantilist exploitation of the colonies, but which nonetheless participated in solidifying the French administrative and colonial presence overseas thanks to the benevolent management of a "giving" French Empire.

Chapter 5 focuses on the legacy of Mauss's ideas on gift exchange from the colonial context to the postwar struggles of decolonization in Algeria. As Marcel Mauss died in 1950, he did not live to see the limits and subversion of the discourse of gift exchange in colonial administration, and the outcome of the wars of decolonization, marked by two historical turning points: 1954 and the peace between France and (a divided) Vietnam; 1962 and the peace with an independent Algeria. But some of his students did. Two in particular updated their master's reflections on the conditions that could preserve the French imperial solidarity between the metropolis and its overseas territories in the postwar era: Germaine Tillion and Jacques Soustelle. Chapter 5 shows how Mauss's concepts of gift exchange and integration were deployed and reframed by Germaine Tillion and Jacques Soustelle in the Algerian context in a new sense: departing from Mauss's *The Nation*, they proposed that the Algerian territories should remain integrated with the French metropolis in the short and long term, so as to form a new stage of integration beyond the national (and thus purely inter-national) and to allow the exchange of gifts between the metropolis and Algeria to continue for the benefit of both parties. In their view, such consolidation of the economic and financial ties between Algeria and the French metropolis should be guaranteed by a change in the constitutional and political organization of the French Republic itself, so that the two societies could truly merge their institutions in a post-national sovereign Republic. To propose a multi-cultural, transnational, and postcolonial understanding of integration was a radical