

THE SPIRIT OF EXCHANGE AND PROMISE: HAU AND SOCIAL CONTRACT

DEĞİŞ TOKUŞ VE TAAHHÜTÜN RUHU: HAU VE TOPLUMSAL SÖZLEŞME

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Marcel Mauss's influential book *Essai sur le don* has initiated profound discussions about gifts and gift exchange not only within the field of anthropology but also in other disciplines. As Sahlins suggests, the book has become Mauss's 'own gift to the ages' (Sahlins, 1997, p.70). Mauss starts the book with two crucial questions: '*What rule of legality and self-interest, in societies of a backward or archaic type, compels the gift that has been received to be obligatorily reciprocated? What power resides in the object given that causes its recipient to pay it back?*' (emphases are original) (Mauss, 1990, p.3). Mauss explains those questions with the texts written by Tamati Ranapiri, an informant of the ethnographer Elsdon Best. Ranapiri describes the exchange of a gift among three people in the Maori community: while the first person gives it to the second, the second passes it on to a third person. Then the third person makes a return gift to the second person, who is then obligated to give it to the first person. According to the Maori community, the circulation happens because of the *hau* of the gift.

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Mauss translates *hau* as the ‘spirit’ dwelling in objects given by one person to another. He suggests that the *hau* of the gift is believed to bother the recipient in some unpleasant manner, if not returned. In Mauss’s words, a gift is received ‘with a burden attached’ (1990, p.41).^{*} In brief, there are three themes of the gift, the obligation to give, to receive and to reciprocate. This total system of services is based on the idea of recognition, as in the case of potlatch, which is ‘the basic act of ‘recognition’, military, juridical, economic, and religious in every sense of the word’ (Mauss, 1990, p.40).^{**} Thus, both the obligations to accept and to reciprocate the gifts are compulsory since not receiving or paying back would be tantamount to declaring war.

At the end of the book, Mauss with a political endeavor extends his ideas on gift societies to the present society, which has recently experienced the violence of the First World War. He suggests that ‘societies have progressed in so far as they themselves, their subgroups, and lastly, the individuals in them, have succeeded in exchanging goods and persons [...] Only then did people learn how to create mutual interests, giving mutual satisfaction, and in the end, to defend them without having to resort to arms’ (1990, p.82). Here Mauss is critical of utilitarian political economy based on the idea of economic man who is individualistic and ultimately self-interested. For him the present society can only avoid social and economic hierarchies by the dint of equal redistribution of the wealth among people.^{***}

As Sahlins (1997) argues, the ghost of Hobbes lingers over Mauss’s writings. According to Mauss, ‘to refuse to give, to fail to invite, just as to refuse to accept, is tantamount to declaring war; is to reject the bond of commonality’ (Mauss, 1990, p.13) but the gift fulfills the goal of preventing war. Thus, if it is the gift exchange among people that would bring alliance, solidarity and thus peace in Mauss, it is the presence of a collective authority –the sovereign- who would end the state of nature in Hobbes. Thus, the Hobbesian idea of social contract preventing a war of all against all is replaced with the gift exchange in Mauss’s account. Yet, a further comparison between Mauss’s gift society and Hobbes’s social contract society is required in understanding how sociability and social totality are constructed through exchanges and promises among people. A folk story that is created among people through *hau* and covenant consequently reconstructs

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In ‘Gift, Gift’ (1997) Mauss explains the obligation to return gifts with reference to the ambivalent and ambiguous etymology of the word gift in Germanic languages. The word gift has a double meaning those of present and poison. This uncertainty anticipates the conjoined pleasure and displeasure when we receive gifts. Moreover, Benveniste (1997) goes one step further while discussing the indecidability of the gift. He shows that in Indo-European languages, the words derived from the root *do- both mean give and take. Another example of these words is *pharmakon* (medicine or poison), which is discussed by Derrida (1981) under the category of ‘undecidables’.

** Ruth Benedict’s explanation of Kwakiutl potlatch is a good example of this: ‘There are two means by which a chief could achieve the victory he sought. One was by shaming his rival by presenting him with more property than he could return with required interest. The other was by destroying property. In both cases, the offering called for return’ (1934, p.193). If the rival chief could not return the gift with required interest, he might probably commit suicide.

*** Graeber (2001) argues that few anthropologists realized that Mauss was a committed socialist. Mauss, for Graber, was trying to understand Marx’s ideas yet giving minimal reference to him.

the reality about the society. Therefore, the self-reflexive character of *hau* and covenant, which are creating and created by the 'imagined communities' is the main theme of this article.

According to Hobbes, human beings are greedy, fearful, violent and egoistical individuals who can be deterred only by fear. They always want to promote their own good. The natural relation of every individual to every other is determined by motives of competition, distrust and love of glory. This explains why the state of nature is a potential state of war among people. It is an anarchical chaotic situation since there is no central authority over the people which would 'keep them all in awe'.

Since the state of nature is such an inconvenient state, it is the interest of all to give up their lawless, natural condition in order to bring about security and order. The only possible way to secure peace and order among people is to erect such a common power –*Leviathan*– which forces individuals to comply with the laws. When the people in the state of nature agree with one another to give up their natural right and simultaneously agree to grant the political authority to the sovereign, they are bound to obey the will of the sovereign. Therefore, in order to avoid the evil of the state of nature, people choose to enter civil society not because of their natural inclinations but of their *reasons*.

The similarities between Hobbes's discussion of social contract and Marcel Mauss's argument on gift exchange are obvious when Hobbes's quotation below is taken into consideration:

And because the condition of Man ... is a condition of Warre of every one against every one; in which case every one is governed by his own Reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life against his enemyes; It followeth, that in such a condition, everyman has a Right to every thing; even to one anothers body. And as long as this naturall Right of every man to very thing endureth, there can be no security to any man, (how strong or wise soever he to be,) of living out the time, which Nature ordinarily alloweth men to live. And consequently it is a precept, or generall rule of Reason. *That everyman, ought to endeavour Peace, as farre as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of Warre.* The first branch of which Rule, containeth the first, and Fundamentall Law of Nature; which is *to seek Peace and follow it* (Hobbes, 1991, p.91).

Correspondingly in his *Essai sur le Don*, Mauss suggests that the primitive order is absence of law where people are living under conditions of fear and hostility. Mauss, like Hobbes, argues that men would chose *reason*, and in the end the human rationality would win over the war. If the motivation for Hobbes is the fear of violence, for Mauss, it is the economic reason over military competition. Yet, according to Sahlins, neither Mauss nor Hobbes trusts the efficacy of reason alone (Sahlins, 1997, pp. 93-94). Sahlins argues that their attempt at securing reciprocity among people actually leads to a paradox in their theories. When Hobbes argues that the power of the sovereign is necessary to ensure

reciprocity, he aims to establish natural law only by an artificial power; that is the State. Similarly when Mauss resorts to the *hau* to ensure reciprocity, he grounds reason in the form of an irrational; that is the spiritual force.

As Sahlins aptly argues, '[f]or the war of every man against every man, Mauss substitutes the exchange of everything between everybody' (1997, p.83). In other words, the gift is equivalent to the social contract in societies that do not have the authority of a sovereign: 'The primitive analogue of social contract is not the State, but the gift' (ibid, p.84). In brief, if it is the mutual transferring of rights to the sovereign in Hobbes's idea, it is the exchange of gifts in Mauss's account, which would ensure peace in the society.

In both cases, peace seems to be guaranteed through either social contract or gift exchange. However, the constitution of society as a social totality in these two cases differs from each other in some points. First, in Hobbes's argument, the sovereign is not a party in the contract. The people decide to transfer their rights to the sovereign- a transcendent authority. By not being a part of the contract, the sovereign, as a third person, has an absolute power. In Hobbes's social contract, the combination of the first person (performative) and the third person (constative) enables imagined communities to imagine themselves as a social totality.*

John Austin (1962) who developed the speech act theory called attention to a type of utterance which he coined as 'performative'. While speaking a performative, someone also makes an action. Therefore, the peculiarity of performativity, in contrast to constative, which describes a state of affairs, is that it performs the action by virtue of utterance. The example Benveniste gives is that the difference between '*I swear*' which is an action and '*he swears*' which is nothing but a description of the fact (1971, p.234).** The performative is therefore, a self-reflexive utterance rather than a representation of the fact. According to Jacques Derrida, the constative is necessary in every performative event for the legitimacy (Honig, 1993, p.106). In other words, all the first person formulations are converted into 'we' identifications through the mediation of third person (constative) which results in the legitimization of the event. The combination of performative and constative structure creates unclarity and undecidability from which a rhetorical force derives.*** Yet it is important to note here that there is an important

*Stathis Gourgouris (1996), like Benedict Anderson (1983), also examines the construction of nation as a product of social imagination. However, he goes one step further by suggesting that nation is an imagined community that *imagines itself*. By this proposition, he means that the birth of a nation is realized through the projection of self-imagination of a certain society at a certain historical moment. And the mode of signification which enables a society to imagine itself as a nation is again the nation itself- it is also the nation which makes this historical moment possible. None of these processes have priority over the other; they are synchronic. In short, the nation is not only constituted by a certain society but is also constitutive of society. This explanation enables us to go beyond looking for the origins of nations, such as state, capitalism or ruling class ideology.

** Benveniste agrees with Austin's constative and performative division. Yet, he insists that a performative act must be uttered by 'someone in authority'. Otherwise, anyone can shout in a public space, 'I decree general mobilization' but such an utterance would not be more than words as it lacks certain authority (1971, pp. 236-238)

*** In this respect, Bonnie Honig, utilizing from the work of Derrida on the *American Declaration of Independence*, criticizes Hannah Arendt's celebration of the *Declaration* as a purely performative speech act since Arendt dismisses the constative moments in the *Declaration* as the destabilizing elements that disrupt the performativity of the text. On the other hand, as Derrida suggests, this combination is needed to power and secure the *Declaration* (Honig,

difference between the social contracts of Rousseau and Hobbes. The third person in Rousseau's account is the people, rather than a sovereign, which implies the idea that the creating and created power both belong to people and thus 'we the people' becomes the self-referential structure. On the other hand, in Hobbes's social contract, although the sovereign is created by the people, it is now a separate authority from the will of the people which guarantees the social contract.

In Mauss's gift society there is no third party, like the sovereign in Hobbes's social contract. In the case of *hau*, one man's gift should not be another man's capital, and therefore the gift should be passed back to the place of origin. The circulation of gifts, as seen in the concept of the *hau*, is then not because 'goods withheld are dangerous, but that withholding goods is immoral' (Sahlins, 1997, p.80). In other words, the excess has to be redistributed in this system otherwise the sociability could be broken which might even result in with 'death': 'It would not be *correct* to keep it for myself', says the native, 'I will become *mate* (ill or die)' (ibid, s.80). In brief, although there is continuous growth, it is without any private accumulation in these pre-capitalist societies.

The lack of the third party, the absence of the 'transcendent view from nowhere' in Mauss's gift society leaves the individuals without any tool to name their exchanges and thus prevents them to imagine themselves as a social totality. The individuals cannot see themselves from the outside as a whole and cannot create this imagination of totality, as it is the case in Hobbes's account of sovereign, which makes an act of shared imagination of a social totality possible.

Another basic difference that is closely related to the first distinction between gift and social contract societies is the subjects who are involved in the exchanges. In Hobbes's case, individuals are the parts of the contract that form a community out of previously separate and antagonistic parts, whereas in Mauss's case, it is the groups who carry on exchanges. In other words, unlike Hobbes who describes a wider totality created by individuals, Mauss talks about groups of people. Therefore, according to Sahlins, '[t]he gift, however, would not organize society in a corporate sense, only in a segmentary sense. Reciprocity is a 'between' relation. It does not dissolve the separate parties within a higher unity but on the contrary, in correlating their opposition, perpetuates it' (1997, p.85). In gift society, the exchanges of gifts just create groups of people bounded around sociability rather than a social totality. The presence of the segmentary groups and the absence of a social totality in the gift societies could again be explained with reference to the third and first person identifications. In gift societies, the first person identifications remain at the level of clans, tribes and groups since the third party just like the sovereign in the social contract theories is absent. Therefore, the gift societies remain as segmented groups, in which generation of a social totality is impossible but the neutralization of some conditions for the sociability is upheld.

Maybe the most important distinction between the gift and the social contract

societies is the account of temporality. Hobbes and Mauss make different explanations of temporality in their elucidation of the reciprocal exchanges among people. In Hobbes's social contract, the people mutually and simultaneously decide to transfer their rights to the sovereign. It is very clear in this scenario that Hobbes, by assuming a mutual and simultaneous exchange among the people, omits the temporality in the agreement. On the other hand, in Mauss's analysis, there are time intervals between giving, receiving and repaying the gifts.* As Bourdieu rightly argues, the time interval between the gift and counter-gift is 'what allows a relation of exchange' (Bourdieu, 1990, p.105). The giving and receiving of gifts involve the manipulation of time, which means that the returned gift is not only different but deferred at the same time. The gift exchange is neither a conscious act nor an unwittingly automatic process, rather it is a strategic act which involves the manipulation of time.**

Gifts do not automatically call forth counter-gifts. Contrary to the idea of predictability, 'the gift may remain unreciprocated, when one obliges to an ungrateful person; it may be rejected as an insult, in as much as it asserts or demands the possibility of reciprocity, and therefore of recognition' (ibid, p.98). Rather than absolute certainty laid down by the 'automatic laws', Bourdieu introduces the idea of uncertainty in gift exchange which becomes possible with the reintroduction of 'time, with its rhythm, its orientation and its irreversibility, substituting the dialectic of strategies for the mechanics of the model' (ibid, p.105).

According to Bourdieu everything takes place as if agents' practices, and in particular their manipulation of time, are organized exclusively with a view to concealing from themselves and from others the truth of their practice. At this point of discussion, Bourdieu introduces the concept of misrecognition: 'The functioning of gift exchange presupposes individual and collective misrecognition of the truth of the reality of the objective 'mechanism' of exchange' (ibid, p.105). This collective self-deception is based on the denial of interest and calculation, although everybody knows the true nature of the exchange.

In this respect, *hau* and contract are similar to each other in the sense that both create misrecognition on the side of the people either through creating an imagined community as sociability or social totality between the groups of people. They are both self-reflexive structures to maximize the sociability or to ratify the social totality via negating the uncertainty and risk in the exchanges among people. In both cases, a folk theory is

*Only does the barter have a simultaneous and mutual aspect, which obliterates all the temporality in the exchange. Yet, in the gift societies the barter as a form of exchange is very rarely used.

** In this sense, Bourdieu criticizes Lévi-Strauss for just focusing on the reciprocity between gift and counter-gift and considering this process as 'automatic laws' of exchange placed within the unconsciousness. Bourdieu argues that a proper conceptualization of gift exchange must go beyond the idea that gifts automatically call forth counter-gifts. With this idea of 'automatic laws' of cycle of reciprocity, Lévi-Strauss 'reduces the agents to the status of automata or inert bodies moved by obscure mechanisms towards ends of which they are unaware' (1990, p.98). In the last instance, exchange in Lévi-Strauss's analysis is not different from 'swapping' which 'telescopes the gift and counter-gift into the same instant' or 'lending' which requires an automatic return (1990, p.105).

created via *hau* and contract, which in fact reshapes and reconstructs the reality.

About Hobbes's social contract, Sahlins asks an interesting question: 'Hobbes did not seriously consider the state of nature as ever a general empirical fact, an authentic historical stage [...] But if not historical, in what sense was the state of nature intended?' (1997, p. 87). In another article Paul Ricoeur answers this question by suggesting that social contract has not taken place in any time but the idea of political consent 'recovered only in an act which has not taken place, in a contract which has not been contracted, in an implicit and tacit pact which appears only in political awareness, in retrospection, and in reflection' (1965. p. 252). Therefore, the social contract is not a historical fact but it only comes out in reflection to construct the social totality.

Correspondingly, Sahlins suggests that in fact the war exists but 'it has to be imagined because all appearance is *designed* to repress it, to overlay and deny it as an insupportable menace' (emphasis is original, 1997, p.87). Sahlins continues his argument that Mauss, in a similar vein, posits his general theory of gift: 'The primitive order is a contrived agreement to deny its inherent fragility, its division at base into groups of distinct interest [...]' (ibid). Therefore, although both societies are fragmented, they are fantasized as coherent, unified and homogenous totalities through *hau* or contract, and in the end, war is contained in gift exchanges or promises.

As Vincent Crapanzano aptly puts it, the term *hau*, 'which *refer[s]* to power, in fact mask[s] the 'real' plays of power that occur in magical transactions and gift exchanges' (emphasis is original, Crapanzano, 1995, p.105). *Hau* which presupposes that there is no problem, risk and uncertainty in the exchange of gifts is actually designed to overcome violence and uncertainty. Similarly, in the contract, the problem is again to overcome the violence and uncertainty through negation of the state of nature.*

From a different perspective, Ernesto Laclau and Chantal Mouffe (2001) suggest a similar idea. According to them, society is cut through by different social divisions and social antagonisms. What lies behind the notion of antagonism is a Lacanian conception of subject as lacking, insufficient, and decentered. The aim of modern politics and ideology, Laclau and Mouffe argue, is to repress everything that suggests this lack. The counterpart to the notion of lack is a conception of ideology as social fantasy, which is an attempt to fill in this lack. If the social is 'an inconsistent field structured around a constitutive impossibility, traversed by a central 'antagonism'', then, 'the function of ideological fantasy is to mask this inconsistency', that is to mask the fact that 'Society does not exist' (Žižek, 1989, 127). Social fantasy is a necessary counterpart to the concept of antagonism, a scenario filling out the voids of the social structure, masking

* This argument reminds me of Jacques Lacan's (2001) discussion of mirror phase. The split that the subject experiences between its exterior form a 'mirage of coherence' on the one hand, and its inner sense of turbulence and asymmetry on the other hand, leads it into an alienating misrecognition of its own truth. The capture of 'I' by the reflection in the mirror is, in short, inseparable from a misrecognition of the gap between the fragmented subject and its unified image of itself. Therefore, though the subject is always split, it experiences its own identity as being held together as a result of the fantasy of itself as a 'unified' person in the mirror phase.

its constitutive antagonism by the fullness of enjoyment. Therefore, *hau* and covenant are two models for the construction of the social-ideological fantasy creating ‘a vision of society which *does* exist, a society which is not split by an antagonistic division, a society in which the relation between its parts is organic, complementary. The clearest case is, of course, the corporatist vision of Society as an organic Whole [...]’ (emphasis is original, *ibid*, p.126).

As the last word, I would like to cite the argument of David Gauthier in ‘Social Contract as Ideology’ (1977) that contractarianism has come more and more to embrace our thoughts. Gauthier argues that the whole contractarian project is incoherent not at the level of theory but at the level of ideology since ‘awareness of one’s self as an appropriator undercuts one’s willingness to accept the constraints of the political order’ (1977, p.160). Then, this political order, for Gauthier, has traditionally been maintained not by contractarian motivations, but rather by patriotism and love. Our being conscious of the ideology of social contract leads us to disavow these nonappropriative motivations, and thus erode the only effective basis for our political order. As Gauthier concludes, ‘[t]hus the triumph of radical contractarianism leads to the destruction, rather than the rationalization, of our society, for what real men and women who believe the ideology need to keep them from the war of all against all is not reason but the Hobbist sovereign, and he is not available’ (*ibid*, p.163).

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ABSTRACT

THE SPIRIT OF EXCHANGE AND PROMISE: HAU AND SOCIAL CONTRACT

This article compares the gift society to the social contract society, as discussed respectively by Marcel Mauss and Thomas Hobbes, in an attempt to further an understanding of how sociability and social totality are constructed through gift exchanges and promises among people. Mauss, like Hobbes, suggests that the primitive order is an absence of law, in which people live under conditions of fear and hostility. Yet, for Mauss it is the gift exchange that would bring peace, while for Hobbes it is the presence of a sovereign. In both cases, peace is vastly facilitated through gift exchange or social contract. This article argues that the self-reflexive character of gift exchange and covenant consequently reconstructs the reality of society, concluding that although there is an inherent fragility in both societies, they are being fantasized as coherent, unified and homogenous totalities through gift exchange or social contract.

Keywords: Mauss, Hobbes, *Hau*, Social Contract, Gift

ÖZ

DEĞİŞ TOKUŞ VE TAAHHÜTÜN RUHU: *HAU* VE TOPLUMSAL SÖZLEŞME

Bu makale, Marcel Mauss'un hediye toplumunu ile Thomas Hobbes'un toplumsal sözleşme toplumunu birbirleriyle kıyaslayarak insanlar arasında yapılan hediye değiş tokuşu ve verilen taahhütler yoluyla toplumsallığın ve toplumsal bütünlüğün nasıl kurulduğunu anlamaya çalışıyor. Aynen Hobbes gibi, Mauss da ilkel düzeni, insanların korku ve düşmanlık içinde yaşadıkları hukuğun olmadığı bir alan olarak görür. Mauss için hediye değiş tokuşu barışı getirecektir; Hobbes'a göre ise doğa düzenini sonlandıracak olan bir egemenin varlığıdır. Barış, bu toplumlarda hediye değiş tokuşu veya toplumsal sözleşme ile garantelenir. Bu makale, hediye değiş tokuşu ve toplumsal sözleşmenin öz-düşünsel karakterinin sonuç olarak toplumun gerçekliğini yeniden kurduğu iddia ediyor ve her iki toplumda da asli çatlaklar olmasına rağmen, değiş tokuş ve sözleşme sayesinde, bu toplumların kaynaşmış, birleşmiş ve homojen bütünlükler olarak tahayyül edildikleri argümanı ile sonlanıyor.

Anahtar Kelimeler: Mauss, Hobbes, *Hau*, Toplumsal Sözleşme, Hediye