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The Challenge of Originary Thinking: A Response to Jean-Loup Amselle

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I am not an anthropologist. I have written no ethnographic studies of non-Western cultures. This is not to say that I have not had the opportunity to reflect on the problem of cultural differences. One of my earliest experiences of cultural difference was when my parents decided to move from Holland to Britain in 1975. I was six years old. I remember being puzzled by what I felt to be the peculiar British habit of championing anything that was made in Britain. The "made in Britain" sticker, with its prominent display of the Union Jack, was ubiquitous. It was only afterwards, when I was old enough to reflect more critically on the matter, that I realized that this obsession with plastering British consumer products with "made in Britain" stickers disguised a deep anxiety. At the time Britain had little to be proud of when it came to the competitiveness of its manufacturing. Not too long ago, and certainly in living memory for many, British manufacturing had been the envy of the world. But when I arrived in the 1970s, Britain was in the midst of a long-term and seemingly irreversible decline.

This anxiety about British manufacturing would manifest itself it in all kinds of interesting ways. For instance, one of my school friends at the time would sneer whenever he saw a Honda or Toyota. "Jap crap!" "Rust bucket!" were his preferred terms to describe these examples of Japanese engineering. But in the end, cultural prejudice alone was not enough to support British car manufacturing. The Japanese now dominate the world market for cars. Aside from a few niche firms like McLaren, the vast majority of car manufacturing in Britain is done by the big German and Japanese auto manufacturers.

The story Professor Amselle tells about the African campaign to identify a uniquely African origin for human rights reminds me a bit of the "made in Britain" campaign of the 1970s. In both cases, the exhortation to remain loyal to one's own culture masks a great deal of nervousness about one's competitiveness vis-a-vis other cultures. Not to be outdone by the European story of the origin of human rights, Africa has invented its own. Moreover, the African one is, according to its proponents, more authentic because it is considerably older. The English may have their Bill of Rights (1689), but the Mali empire was founded on its own, much earlier Bill of Rights.

What is the point of this "Afrocentric" story of the origin of human rights? The point is to boost one's self-esteem. Like the patriotic exhortation to "buy British," the story of the Kurukan Fuga charter is an attempt to reassure oneself that there is nothing to be ashamed of when one contemplates—and, more importantly, when one eagerly and devotedly consumes—one's own culture. As a good Englishman, you should eat Marmite not because you like the taste, but because it is made in Britain. You may in fact dislike the taste, but this is a small price to pay for the knowledge that you are doing your bit for British culture. In other words, anxiety about one's global economic competitiveness is soothed by emphasizing not the product itself but the symbolic status of the product. Who cares if you actually like the stuff? The point is to eat it, and to eat it with pride. (An old joke: Why do the British like warm beer? Because they buy "made in Britain" refrigerators.)

This basic need to affirm one's national cultural allegiance is, very roughly, the point of the first part of Professor Amselle's paper. In his extremely interesting "four-act play," Professor Amselle describes an extraordinary story. The story explains how the founder of the empire of Mali, Sunjata Keita, leader of the Malinke people, defeated Sumanworo Kanté, leader of the Soso. After the battle, the victorious Sunjata Keita had the good sense to hold a general assembly with all the chiefs of the various clans, including the chiefs of his rival. Together they came up with a "charter" that established the equal rights of all. This was the Kurukan Fuga charter, and it beat the English Bill of Rights by some five hundred years, not to mention the American Declaration of Independence (1776) and French Declaration of the Rights of Man and of the Citizen (1793), both of which trailed the British constitution by about one hundred years.

I am not an Africanist, so I am not really qualified to comment on the accuracy of the facts of this story. Professor Amselle, however, has made it quite clear that most of this story is an invention. It is not even clear whether such a meeting took place, much less whether the object of this meeting was to establish a Bill of Rights as in the English, American, and French revolutions. But the fact that the story is an invention does not mean that it has no power. On the contrary, hypotheses of origin are, as we know, of the greatest importance.

Professor Amselle's account of the invention of an originary African "social contract" reminds me of something Ernest Gellner says in his great book on the structure of human history, Plough, Sword and Book. "Primitive man," Gellner says, "has lived twice: once in and for himself, and the second time for us, in our reconstruction" (1989, 23). He then asks a very interesting question. Imagine an archeologist who has been digging up an ancient site. He discovers a well-preserved copy of the original social contract. Naturally this discovery makes quite an impact. But what do we do once the discovery has been made? Do we feel bound by the terms of this original social contract? Do we declare all subsequent statutes null and void? Does this document supersede the United Nations Charter?

Gellner's point strikes me as similar to Professor Amselle's. There are two responses to the idea of human rights. On the one hand, there is the desire to create a radical break with the past in order to found a new social order based on the moral idea of universal equality. By sheer force of the imagination, we divest ourselves of any prior ethnic claims of culture and community. Gellner calls this the "Mayflower" style of philosophizing (1995, 19) because of its association with the United States, which, so to speak, constructed a new society from scratch. But there is another style of philosophizing, one that looks with suspicion on the Mayflower style. What this style of philosophy sees when it looks at history is not the kingdom of heaven, the "shining city on a hill," but the abject failure of humanity's attempt to implement the moral model.

The desire to make an absolute break with the past is a perfectly respectable philosophical position to take. It is taken, for example, by John Rawls (1971) in his notion of the "original position" and the "veil of ignorance." Rawls is a good deal more rigorous in his presentation of the original social contract than are the proponents of the Kurukan Fuga charter. But the same impulse to provide a moral model is present in each case, in Rawls's idea of the origin of the idea of justice, which is self-consciously represented as a fiction, and in the Kurukan Fuga charter, where the fictionality of the event is disguised as history.

Naturally this desire to postulate an absolute break with the past is less appealing to cultural anthropologists, who are, you might say, occupationally averse to the idea that human beings can divest themselves so easily of the prejudices of their own particular cultural traditions. ()**(1) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#n1)** The anthropologist's job is not to invent morally edifying stories, but to stand back, as much as this is possible, from the cultural prejudices of his or her own society in order to represent, as accurately as possible, the ethical structure of the societies he or she studies. Of course, as Gellner suggests, this is not as easy as it sounds, especially when it comes to imagining the social organization of historically distant societies. For how do we distinguish the real thing from our reconstruction of it? By the law of overcompensation, the anthropologist, self-conscious of his latter-day reconstruction, may decide to emphasize the moral failures of his own society, rather than risk being seen as too harsh a critic of the moral failings of the society he is studying. ()**(2) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#n2)**

These two contrasting tendencies—the desire for a clean break, on the one hand, and the desire to emphasize humanity's failure to live up to the moral model, on the other—correspond very roughly to the two parts of Professor Amselle's paper. Thus, the first part concerns his skepticism of the Afrocentric story of the "invention" of a cultural tradition on the model of the Enlightenment contract theories of Hobbes, Locke, and Rousseau. I agree with Professor Amselle when he suggests that the analogy between Africa and Europe is a bit far-fetched. The social conditions of thirteenth-century West Africa do not correspond very well to the social conditions of seventeenth-century England or eighteenth-century France. The Kurukan Fuga meeting, if it did indeed take place, should be seen as an attempt to create an alliance between rival chiefs; in no way does it correspond to an uprising against an absolute monarchy on the model of the English and French revolutions.

However, in the second part of his argument, Professor Amselle makes a surprising move. Having rejected the idea that it is possible to provide a meaningful comparison between the Kurukan Fuga alliance, on the one hand, and the idea of the social contract and human rights, on the other, he seems to reverse his position. That is, in the second part of his argument, he attempts to restore a modified version of the analogy between Africa and Europe. He now argues that there is indeed some historical basis for the comparison. However, rather than attempt to look at Kurukan Fuga as a kind of prototype or precursor of the American Declaration of Independence, Amselle urges us to look at what lies behind the theory of the social contract itself.

What lies behind the theory of the social contract? To answer this question, Amselle turns to Michel Foucault's theory of power. According to Foucault, the theory of the social contract is a mystification of the real structure of power. For Foucault, the asymmetry between ruler and ruled is more fundamental than the symmetry proposed by social contract theory. On Foucault's view, society is in a permanent state of war between ruler and ruled. Carl von Clauswitz famously stated that "war is the continuation of politics by other means." But Foucault asserts that war, not politics, is primary. So we should invert von Clauswitz and say that "politics is the continuation of war by other means" (2003, 15).

Professor Amselle, in the second half of his paper, takes Foucault's analysis of the European situation and applies it to the African situation. The "war between two races" that Foucault sees behind the theory of the social contract applies equally, Amselle suggests, to the historical situation existing in West Africa at the time of the Kurukan Fuga meeting. Here too we have a kind of permanent war, the war between an indigenous race and an invading warrior class. It follows that to interpret this situation as the origin of human rights, as was done in the seminars held in Kankan and Bamako, is to betray the historical reality of the situation. The Kurukan Fuga charter has nothing to do with human rights and everything to do with coercion, hierarchy, and submission. Amselle claims that this analysis of the situation allows us to see the similarity between Europe and Africa. "The pattern of the war between the two races," he says, "provides a scheme common. . . to Europe and Africa alike."

I would like to press Professor Amselle a bit on this point. It seems to me that Foucault's analysis of the Enlightenment is a bit too pessimistic. It is a bit too concerned with overturning completely the "Mayflower" style of philosophizing. In other words, Foucault dwells, obsessively it would seem, on the failure of humanity to live up to the moral model. This obsession with failure has one very important consequence. It levels the difference between agrarian society and industrial society. Foucault takes the coercive structure of the agrarian state and applies it to the functioning of all societies, including the bourgeois societies of modern industrialized liberal democracies.

It is certainly valuable to be reminded of the fundamental role of coercion in human history. However, I do not think that coercion plays the decisive role everywhere and in all places. It is probably true that coercion—or, more specifically, predation—has been the dominant factor for most of human history, or at least for that part of human history that relies upon the storage and protection of a stored surplus. ()**(3)** **(http://anthropoetics.ucla.edu/ap1901/1901vanoort#n3)** As Gellner has cogently argued, agrarian states have a tendency to be hierarchical, as well as being fundamentally resistant toward technological innovation and change. In the

agrarian social order, the surplus is limited and Malthusian, in the sense that population growth is constantly pressing up against production. It follows that proximity to the surplus determines one's place in the social hierarchy, which is sacralized as god-given and therefore unchanging. ()**(4) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#n4)**

However, at one point in human history, and for reasons that are very hard to explain, the pattern of coercion gave way to a rather different pattern. This new pattern was not based upon predation, but upon production. Foucault's "war of two races," which describes reasonably accurately the asymmetry between warriors and producers in agrarian societies, is much less plausible when applied to the situation obtaining in modern Western liberal democracies. This kind of society, the society that also "invented" the doctrine of human rights, does not reify the distinction between warriors and producers, between nobles and peasants. On the contrary, such a reification would undermine the economic mobility that is its precondition. The United Nations Charter is imaginable only within this context of a highly mobile and constantly changing egalitarian social order. This does not mean that there is no inequality. Of course there is. But inequality is constantly on the move. It is a "short-term" inequality between individuals rather than "long-term" inequality between groups. Of course, the whole system is based on the assumption that wealth is continually expanding—in other words, that the economy will grow. Production rather than coercion is the preferred method for maintaining the peace.

Despite appearances, I am not simply flag-waving for the Enlightenment. I agree with Gellner when he says that the original formulators of the idea of the social contract were mistaken when they believed that their view of human nature was universal, that it described all men everywhere. The "state of nature" which they understood to preexist society (Hobbes's war of all against all) is in fact a pretty good description of the situation existing among societies defined by kinship and religion. In other words, it is a pretty good description of the kind of social order that has defined humanity for most of its history. Despite what the social contract theorists believed, their view of the moral equality of all humanity was not self-evident. Indeed, the situation was rather the reverse. For most of human history, most people did not take it as "self-evident" that all "men were created equal," that they were endowed with the "inalienable rights" of "life, liberty, and the pursuit of happiness." So, on this score at least, I have no argument with Foucault.

Where I disagree with Foucault is in his claim that the peculiar kind of society that led to a belief in human rights was simply another version of the basic coercive pattern of "the war between two races." I don't think that this is an accurate picture of the situation. Something did change rather dramatically in the seventeenth and eighteenth centuries in Europe. The Enlightenment's fascination for secular theories of an original "social contract" was a symptom of this change. For the first time, it became possible to imagine a purely human origin for society independently of religion. Concepts were tied to one's experience rather than to one's identity in a predetermined hierarchical social structure. When Descartes emphasized the necessity of "clear and distinct" ideas, he was searching for a cognitive method that did not have to rely on the hierarchical, agrarian picture of cognition, on the "great chain of being" that defined one's role in the universe. This revolution in cognition in the scientific and technological sphere corresponded to a revolution in ethics in the political and economic spheres. In the political sphere, the sanctity of the individual was expressed in the right to participate in the political process; in the economic sphere, it was expressed in the individual's participation in a free market for consumer goods. ()**(5) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#n5)**

Let me end by trying to connect the concerns of Professor Amselle's paper with the basic premise of generative anthropology—namely, the idea of an originary hypothesis that stands at the basis of an analysis of human culture and history. Anthropology takes it for granted that humanity has a non-supernatural origin. The key question then becomes: How do we describe this non-supernatural origin? The social contract theorists were the first to take this anthropological question seriously. They attempted to answer the question by postulating a hypothetical transition from the state of nature to society. This all-or-nothing event was then expanded, in the eighteenth and nineteenth centuries, into a longterm historical process. Clues to our past were evident in the "primitive" societies found in the colonies. Human history was imagined as a series of stages, from the primitive to the modern. In the British context, the evolutionary pattern dominated anthropology right up into the twentieth century. It is evident, for example, in the last great Victorian anthropologist James Frazer, who died in 1941. Sticking with the British context, Frazer's legacy was definitively rejected by Bronislaw Malinowski. Malinowski inaugurated a new pattern of anthropological inquiry that has dominated the field ever since. The key idea I wish to stress in Malinowski is his total rejection of the historical and evolutionary concerns of Frazer. For Malinowski, any reference made to the past is simply a "charter"—that is, a story invented to justify one's behavior in the present. Malinowski's deep suspicion of the past stems from Frazer's legacy, whose "magpie" comparative methods and evolutionary assumptions Malinowski abhorred. Since Malinowski usurped Frazer as the king of anthropology, few cultural anthropologists have dared to resurrect the question of human origin, which is now discreetly left to the biologists, a situation that strikes me as highly problematic.

In his extremely fascinating book Mestizo Logics, Professor Amselle raises the question of human origin, but only to reject it. I quote from the book's closing lines: "The analysis. . . of 'mestizo logics' allows one to escape the question of origin and to hypothesize an infinite regression. It is no longer a question of asking which came first, the segmentary or the state, paganism or Islam, the oral or the written, but to postulate an originary syncretism, a mixture whose parts remain indissociable" (1998, 161). Professor Amselle makes this remark in the context of his critique of the magpie methods of colonial administrators in Africa. I don't doubt that he is correct in his assessment of the colonial situation. But what about the context that precedes the colonial situation? What about the larger pattern of human history? Generative anthropology assumes that speculation on the larger pattern of human history is at some point inevitable. The challenge, therefore, is not to reject originary speculation, but to see that the analysis of power is itself an attempt to think in fundamental anthropological terms. Amselle's use of Foucault shows us that there is no escaping originary reflection.

Notes

()* [Editor's note] This was the response to Jean-Loup Amselle's paper, **"Did Africa Invent Human Rights?" (http://anthropoetics.ucla.edu/ap1901/1901amselle.htm)** delivered at the 2013 GASC, and included in this issue of Anthropoetics. **(back) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#top)**

()1. A useful exercise would be to compare Rawls's idea of the "veil of ignorance" to Gellner's notion of the "veil of forgetting" (1987, 10). The latter refers to the need of modern industrialized or industrializing states to create a homogenous "national" culture. The "veil of forgetting" refers to the fact that this construction of a national culture

requires the forgetting of any internal subnational cultural differences within the overarching category of the nation-state. **(back) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#b1)**

()2. In his highly illuminating comparative study of patterns of succession, the American anthropologist Robbins Burling writes candidly about the prevailing wind of cultural relativism in his discipline. Hoping to emulate the "anthropological objectivity" (1972, 10) of his colleagues by seeing American "electoral succession as simply one more imperfect solution to an eternal human problem" (1972, 10), he studied the problem of succession in a variety of other historical and cultural contexts, including precolonial Africa, seventeenth-century India and China, post-independence Latin America, and the Soviet Union. But instead of reaffirming his belief in the doctrine of cultural relativism, his study of power and the problem of succession in these contexts had rather the opposite effect. It led to his "renewed faith in our electoral processes" (1972, 10). The killing of kings and the military coup d'état are regarded, at least by this anthropologist, as morally inferior to voting someone in and out of office. **(back) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#b2)**

()3. The prominence of coercion in hunter-gatherer societies is debatable. **(back) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#b3)**

()4. This is merely to say that the king and his nobles eat much better than the peasants. Note, furthermore, that this emphasis on stability does not mean that it is impossible for the individuals within each class to switch places. What it means is that the basic pattern of coercion and predation does not change. If, by some miracle, a peasant were to arm himself and his followers and lead a successful insurrection against the nobility, this would change nothing ideologically speaking. On the contrary, there would merely be a change in the occupants of the positions. The positions themselves remain static. The erstwhile dominators would now become the enslaved class. This is why Foucault's notion of the "war of races" vividly dramatizes the basic condition of the agrarian social order. **(back) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#b4)**

()5. The consumer market is basically a system operated entirely by the voluntary transactions between individuals. As such, it is far more sensitive to the desires of the individual than is a ritual system of distribution. The exchange system is precisely where the "equality of individuals" is most clearly manifest. The consumer's free choice influences the outcome of the larger social process. As Roger Scruton notes, the results of this process are seldom "very edifying" (1985, 59). Mass consumer culture is not high culture. But the less than edifying nature of the products of consumer culture is the price we pay for a system of distribution that has disengaged itself from the hierarchy of ritual systems of distribution and, in particular, from the coercion entailed by the agrarian pattern. **(back) (http://anthropoetics.ucla.edu/ap1901/1901vanoort#b5)**

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