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The Gift

The form and reason for exchange
in archaic societies

With a foreword by Mary Douglas



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INTRODUCTION

THE GIFT, AND ESPECIALLY THE OBLIGATION TO RETURN IT

Epigraph

Below we give a few stanzas from the Havamal, one of the old poems of the Scandinavian Edda.¹ They may serve as an epigraph for this study, so powerfully do they plunge the reader into the immediate atmosphere of ideas and facts in which our exposition will unfold.²

(39) I have never found a man so generous
And so liberal in feeding his guests
That 'to receive would not be received',
Nor a man so . . . [the adjective is missing]
Of his goods
That to receive in return was disagreeable to
Him³

- (41) With weapons and clothes
 Friends must give pleasure to one another;
 Everyone knows that for himself [through his
 Own experience].
 Those who exchange presents with one another
 Remain friends the longest
 If things turn out successfully.
- (42) One must be a friend
 To one's friend,
 And give present for present;
 One must have
 Laughter for laughter
 And sorrow for lies
- (44) You know, if you have a friend
 In whom you have confidence
 And if you wish to get good results
 Your soul must blend in with his
 And you must exchange presents
 And frequently pay him visits.
- (44) But if you have another person
 (sic) Whom you mistrust
 And if you wish to get good results,
 You must speak fine words to him
 But your thoughts must be false
 And you must lament in lies.
- (46) This is the way with him
 In whom you have no trust
 And whose sentiments you suspect,
 You must smile at him
 And speak in spite of yourself:
 Presents given in return must be similar to
 Those received.

- (47) Noble and valiant men
 Have the best life;
 They have no fear at all
 But a coward fears everything:
 The miser always fears presents.

Cahen also points out to us stanza 145:

- (145) It is better not to beg [ask for something]
 Than to sacrifice too much [to the gods]:
 A present given always expects one in return.
 It is better not to bring any offering
 Than to spend too much on it.

Programme

The subject is clear. In Scandinavian civilization, and in a good number of others, exchanges and contracts take place in the form of presents; in theory these are voluntary, in reality they are given and reciprocated obligatorily.

The present monograph is a fragment of more extensive studies. For years our attention has been concentrated on both the organization of contractual law and the system of total economic services operating between the various sections or subgroups that make up so-called primitive societies, as well as those we might characterize as archaic. This embraces an enormous complex of facts. These in themselves are very complicated. Everything intermingles in them, everything constituting the strictly social life of societies that have preceded our own, even those going back to protohistory. In these 'total' social phenomena, as we propose calling them, all kinds of institutions are given expression at one and the same time – religious, juridical, and moral, which relate to both politics and the family; likewise economic ones, which suppose special forms of production

and consumption, or rather, of performing total services and of distribution. This is not to take into account the aesthetic phenomena to which these facts lead, and the contours of the phenomena that these institutions manifest.

Among all these very complex themes and this multiplicity of social 'things' that are in a state of flux, we seek here to study only one characteristic – one that goes deep but is isolated: the so to speak voluntary character of these total services, apparently free and disinterested but nevertheless constrained and self-interested. Almost always such services have taken the form of the gift, the present generously given even when, in the gesture accompanying the transaction, there is only a polite fiction, formalism, and social deceit, and when really there is obligation and economic self-interest. Although we shall indicate in detail all the various principles that have imposed this appearance on a necessary form of exchange, namely, the division of labour in society itself – among all these principles we shall nevertheless study only one in depth. *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?* This is the problem on which we shall fasten more particularly, whilst indicating others. By examining a fairly large body of facts we hope to respond to this very precise question and to point the way to how one may embark upon a study of related questions. We shall also see to what fresh problems we are led. Some concern a permanent form of contractual morality, namely, how the law relating to things even today remains linked to the law relating to persons. Others deal with the forms and ideas that, at least in part, have always presided over the act of exchange, and that even now partially complement the notion of individual self-interest.

We shall thus achieve a dual purpose. On the one hand, we shall arrive at conclusions of a somewhat archeological kind concerning the nature of human transaction in societies around

us, or that have immediately preceded our own. We shall describe the phenomena of exchange and contract in those societies that are not, as has been claimed, devoid of economic markets – since the market is a human phenomenon that, in our view, is not foreign to any known society – but whose system of exchange is different from ours. In these societies we shall see the market as it existed before the institution of traders and before their main invention – money proper. We shall see how it functioned both before the discovery of forms of contract and sale that may be said to be modern (Semitic, Hellenic, Hellenistic, and Roman), and also before money, minted and inscribed. We shall see the morality and the organization that operate in such transactions.

As we shall note that this morality and organization still function in our own societies, in unchanging fashion and, so to speak, hidden, below the surface, and as we believe that in this we have found one of the human foundations on which our societies are built, we shall be able to deduce a few moral conclusions concerning certain problems posed by the crisis in our own law and economic organization. There we shall call a halt. This page of social history, of theoretical sociology, of conclusions in the field of morality, and of political and economic practice only leads us after all to pose once more, in different forms, questions that are old but ever-new.⁴

Method

We have followed the method of exact comparison. First, as always, we have studied our subject only in relation to specific selected areas: Polynesia, Melanesia, the American Northwest, and a few great legal systems. Next, we have naturally only chosen those systems of law in which we could gain access, through documents and philological studies, to the consciousness of the societies themselves, for here we are dealing in words

and ideas. This again has restricted the scope of our comparisons. Finally, each study focused on systems that we have striven to describe each in turn and in its entirety. Thus we have renounced that continuous comparison in which everything is mixed up together, and in which institutions lose all local colour and documents their savour.⁵

THE RENDERING OF TOTAL SERVICES. THE GIFT AND POTLATCH

The present study forms part of a series of researches that Davy and myself have been pursuing for a long time, concerning the archaic forms of contract.⁶ A summary of these is necessary.

Apparently there has never existed, either in an era fairly close in time to our own, or in societies that we lump together somewhat awkwardly as primitive or inferior, anything that might resemble what is called a 'natural' economy.⁷ Through a strange but classic aberration, in order to characterize this type of economy, a choice was even made of the writings by Cook relating to exchange and barter among the Polynesians.⁸ Now, it is these same Polynesians that we intend to study here. We shall see how far removed they are from a state of nature as regards law and economics.

In the economic and legal systems that have preceded our own, one hardly ever finds a simple exchange of goods, wealth, and products in transactions concluded by individuals. First, it is not individuals but collectivities that impose obligations of exchange and contract upon each other.⁹ The contracting parties are legal entities: clans, tribes, and families who confront and oppose one another either in groups who meet face to face in one spot, or through their chiefs, or in both these ways at once.¹⁰ Moreover, what they exchange is not solely property and wealth, movable and immovable goods, and things economically useful.

In particular, such exchanges are acts of politeness: banquets, rituals, military services, women, children, dances, festivals, and fairs, in which economic transaction is only one element, and in which the passing on of wealth is only one feature of a much more general and enduring contract. Finally, these total services and counter-services are committed to in a somewhat voluntary form by presents and gifts, although in the final analysis they are strictly compulsory, on pain of private or public warfare. We propose to call all this the *system of total services*. The purest type of such institutions seems to us to be characterized by the alliance of two phratries in Pacific or North American tribes in general, where rituals, marriages, inheritance of goods, legal ties and those of self-interest, the ranks of the military and priests – in short everything, is complementary and presumes co-operation between the two halves of the tribe. For example, their games, in particular, are regulated by both halves.¹¹ The Tlingit and the Haïda, two tribes of the American Northwest, express the nature of such practices forcefully by declaring that 'the two tribal phratries show respect to each other'.¹²

But within these two tribes of the American Northwest and throughout this region there appears what is certainly a type of these 'total services', rare but highly developed. We propose to call this form the 'potlatch', as moreover, do American authors using the Chinook term, which has become part of the everyday language of Whites and Indians from Vancouver to Alaska. The word potlatch essentially means 'to feed', 'to consume'.¹³ These tribes, which are very rich, and live on the islands, or on the coast, or in the area between the Rocky Mountains and the coast, spend the winter in a continual festival of feasts, fairs, and markets, which also constitute the solemn assembly of the tribe. The tribe is organized by hierarchical confraternities and secret societies, the latter often being confused with the former, as with the clans. Everything – clans, marriages, initiations, Shamanist seances and meetings for the worship of the great gods, the

totems or the collective or individual ancestors of the clan – is woven into an inextricable network of rites, of total legal and economic services, of assignment to political ranks in the society of men, in the tribe, and in the confederations of tribes, and even internationally.¹⁴ Yet what is noteworthy about these tribes is the principle of rivalry and hostility that prevails in all these practices. They go as far as to fight and kill chiefs and nobles. Moreover, they even go as far as the purely sumptuary destruction of wealth that has been accumulated in order to outdo the rival chief as well as his associate (normally a grandfather, father-in-law, or son-in-law).¹⁵ There is total service in the sense that it is indeed the whole clan that contracts on behalf of all, for all that it possesses and for all that it does, through the person of its chief.¹⁶ But this act of ‘service’ on the part of the chief takes on an extremely marked agonistic character. It is essentially usurious and sumptuary. It is a struggle between nobles to establish a hierarchy amongst themselves from which their clan will benefit at a later date.

We propose to reserve the term *potlatch* for this kind of institution that, with less risk and more accuracy, but also at greater length, we might call: *total services of an agonistic type*.

Up to now we had scarcely found any examples of this institution except among the tribes of the American Northwest,¹⁷ Melanesia, and Papua.¹⁸ Everywhere else, in Africa, Polynesia, Malaysia, South America, and the rest of North America, the basis of exchanges between clans and families appeared to us to be the more elementary type of total services. However, more detailed research has now uncovered a quite considerable number of intermediate forms between those exchanges comprising very acute rivalry and the destruction of wealth, such as those of the American Northwest and Melanesia, and others, where emulation is more moderate but where those entering into contracts seek to outdo one another in their gifts. In the same way we vie with one another in our presents of thanks, banquets and

weddings, and in simple invitations. We still feel the need to *revanchieren*,¹⁹ as the Germans say. We have discovered intermediate forms in the ancient Indo-European world, and especially among the Thracians.²⁰

Various themes – rules and ideas – are contained in this type of law and economy. The most important feature among these spiritual mechanisms is clearly one that obliges a person to reciprocate the present that has been received. Now, the moral and religious reason for this constraint is nowhere more apparent than in Polynesia. Let us study it in greater detail, and we will plainly see what force impels one to reciprocate the thing received, and generally to enter into real contracts.

1

THE EXCHANGE OF GIFTS AND THE OBLIGATION TO RECIPROCATE (POLYNESIA)

'TOTAL SERVICES', 'MATERNAL* GOODS' AGAINST 'MASCULINE GOODS'† (SAMOA)

During this research into the extension of contractual gifts, it seemed for a long time as if potlatch proper did not exist in Polynesia. Polynesian societies in which institutions were most comparable did not appear to go beyond the system of 'total services', permanent contracts between clans pooling their women, men, and children, and their rituals, etc. We then studied in Samoa the remarkable custom of exchanging emblazoned

* The French *utérin*, strictly speaking, relates to children of the same mother, but not necessarily of the same father. It is translated as 'maternal' and relates to the goods that are passed on to such children, i.e. 'maternal goods'.

† 'Masculine goods' [*biens masculins*] relates to goods passed on to children through the father's side.

matting between chiefs on the occasion of a marriage, which did not appear to us to go beyond this level.¹ The elements of rivalry, destruction, and combat appeared to be lacking, whereas this was not so in Melanesia. Finally, there were too few facts available. Now we would be less critical about the facts.

First, this system of contractual gifts in Samoa extends far beyond marriage. Such gifts accompany the following events: the birth of a child,² circumcision,³ sickness,⁴ a daughter's arrival at puberty,⁵ funeral rites,⁶ trade.⁷

Next, two essential elements in potlatch proper can be clearly distinguished here: the honour, prestige, and *mana* conferred by wealth;⁸ and the absolute obligation to reciprocate these gifts under pain of losing that *mana*, that authority – the talisman and source of wealth that is authority itself.⁹

On the one hand, as Turner tells us:

After the festivities at a birth, after having received and reciprocated the *oloa* and the *tonga* – in other words, masculine and feminine goods – husband and wife did not emerge any richer than before. But they had the satisfaction of having witnessed what they considered to be a great honour: the masses of property that had been assembled on the occasion of the birth of their son.¹⁰

On the other hand, these gifts can be obligatory and permanent, with no total counter-service in return except the legal status that entails them. Thus the child whom the sister, and consequently the brother-in-law, who is the maternal uncle, receive from their brother and brother-in-law to bring up, is himself termed a *tonga*, a possession on the mother's side.¹¹ Now, he is:

the channel along which possessions that are internal in kind,¹² the *tonga*, continue to flow from the family of the child to that family. Furthermore, the child is the means whereby his parents

can obtain possessions of a foreign kind (*oloa*) from the parents who have adopted him, and this occurs throughout the child's lifetime.

This sacrifice [of the natural bonds] facilitates an easy system of exchange of property internal and external to the two kinship sides.

In short, the child, belonging to the mother's side, is the channel through which the goods of the maternal kin are exchanged against those of the paternal kin. It suffices to note that, living with his maternal uncle, the child has plainly the right to live there, and consequently possesses a general right over the latter's possessions. This system of 'fosterage' appears very close to that of the generally acknowledged right of the maternal nephew in Melanesian areas over the possessions of his uncle.¹³ Only the theme of rivalry, combat, and destruction is lacking, for there to be potlatch.

Let us, however, note these two terms, *oloa*, and *tonga*, and let us consider particularly the *tonga*. This designates the permanent paraphernalia, particularly the mats given at marriage,¹⁴ inherited by the daughters of that marriage, and the decorations and talismans that through the wife come into the newly founded family, with an obligation to return them.¹⁵ In short, they are kinds of fixed property – immovable because of their destination. The *oloa*¹⁶ – designate objects, mainly tools, that belong specifically to the husband. These are essentially movable goods. Thus nowadays this term is applied to things passed on by Whites.¹⁷ This is clearly a recent extension of the meaning. We can leave on one side Turner's translation: *oloa* = foreign; *tonga* = native. It is incorrect and insufficient, but not without interest, since it demonstrates that certain goods that are termed *tonga* are more closely linked to the soil,¹⁸ the clan, the family, and the person than certain others that are termed *oloa*.

Yet, if we extend the field of our observation, the notion of *tonga* immediately takes on another dimension. In Maori, Tahitian, Tongan, and Mangarevan (Gambier), it connotes everything that may properly be termed possessions, everything that makes one rich, powerful, and influential, and everything that can be exchanged, and used as an object for compensating others.¹⁹ These are exclusively the precious articles, talismans, emblems, mats, and sacred idols, sometimes even the traditions, cults, and magic rituals. Here we link up with that notion of property-as-talisman, which we are sure is general throughout the Malaysian and Polynesian world, and even throughout the Pacific as a whole.²⁰

II THE SPIRIT OF THE THING GIVEN (MAORI)

This observation leads us to a very important realization: the *taonga* [sic] are strongly linked to the person, the clan, and the earth, at least in the theory of Maori law and religion. They are the vehicle for its *mana*, its magical, religious, and spiritual force. In a proverb that happily has been recorded by Sir George Grey²¹ and C.O. Davis²² the *taonga* are implored to destroy the individual who has accepted them. Thus they contain within them that force, in cases where the law, particularly the obligation to reciprocate, may fail to be observed.

Our much regretted friend Hertz had perceived the importance of these facts. With his touching disinterestedness he had noted down 'for Davy and Mauss', on the card recording the following fact. Colenso says:²³ 'They had a kind of exchange system, or rather one of giving presents that must ultimately either be reciprocated or given back.' For example, dried fish is exchanged for jellied birds or matting.²⁴ All these are exchanged between tribes or 'friendly families without any kind of stipulation'.

But Hertz had also noted – and I have found it among his records – a text whose importance had escaped the notice of both of us, for I was equally aware of it.

Concerning the *hau*, the spirit of things, and especially that of the forest and wild fowl it contains, Tamati Ranaipiri, one of the best Maori informants of Elsdon Best, gives us, completely by chance, and entirely without prejudice, the key to the problem.²⁵

I will speak to you about the *hau* . . . The *hau* is not the wind that blows – not at all. Let us suppose that you possess a certain article (*taonga*) and that you give me this article. You give it me without setting a price on it.²⁶ We strike no bargain about it. Now, I give this article to a third person who, after a certain lapse of time, decides to give me something as payment in return (*utu*).²⁷ He makes a present to me of something (*taonga*). Now, this *taonga* that he gives me is the spirit (*hau*) of the *taonga* that I had received from you and that I had given to him. The *taonga* that I received for these *taonga* (which came from you) must be returned to you. It would not be fair (*tika*) on my part to keep these *taonga* for myself, whether they were desirable (*rawe*) or undesirable (*kino*). I must give them to you because they are a *hau*²⁸ of the *taonga* that you gave me. If I kept this other *taonga* for myself, serious harm might befall me, even death. This is the nature of the *hau*, the *hau* of personal property, the *hau* of the *taonga*, the *hau* of the forest. *Kati ena* (But enough on this subject).

This text, of capital importance, deserves a few comments. It is purely Maori, permeated by that, as yet, vague theological and juridical spirit of doctrines within the ‘house of secrets’, but at times astonishingly clear, and presenting only one obscure feature: the intervention of a third person. Yet, in order to understand fully this Maori juridical expert, one need only say:

The *taonga* and all goods termed strictly personal possess a *hau*, a spiritual power. You give me one of them, and I pass it on to a third party; he gives another to me in turn, because he is impelled to do so by the *hau* my present possesses. I, for my part, am obliged to give you that thing because I must return to you what is in reality the effect of the *hau* of your *taonga*.

When interpreted in this way the idea not only becomes clear, but emerges as one of the key ideas of Maori law. What imposes obligation in the present received and exchanged, is the fact that the thing received is not inactive. Even when it has been abandoned by the giver, it still possesses something of him. Through it the giver has a hold over the beneficiary just as, being its owner, through it he has a hold over the thief.²⁹ This is because the *taonga* is animated by the *hau* of its forest, its native heath and soil. It is truly ‘native’:³⁰ the *hau* follows after anyone possessing the thing.

It not only follows after the first recipient, and even, if the occasion arises, a third person, but after any individual to whom the *taonga* is merely passed on.³¹ In reality, it is the *hau* that wishes to return to its birthplace, to the sanctuary of the forest and the clan, and to the owner. The *taonga* or its *hau* – which itself moreover possesses a kind of individuality³² – is attached to this chain of users until these give back from their own property, their *taonga*, their goods, or from their labour or trading, by way of feasts, festivals and presents, the equivalent or something of even greater value. This in turn will give the donors authority and power over the first donor, who has become the last recipient. This is the key idea that in Samoa and New Zealand seems to dominate the obligatory circulation of wealth, tribute, and gifts.

Such a fact throws light upon two important systems of social phenomena in Polynesia and even outside that area. First, we can grasp the nature of the legal tie that arises through the passing on of a thing. We shall come back presently to this point, when

we show how these facts can contribute to a general theory of obligation. For the time being, however, it is clear that in Maori law, the legal tie, a tie occurring through things, is one between souls, because the thing itself possesses a soul, is of the soul. Hence it follows that to make a gift of something to someone is to make a present of some part of oneself. Next, in this way we can better account for the very nature of exchange through gifts, of everything that we call 'total services', and among these, potlatch. In this system of ideas one clearly and logically realizes that one must give back to another person what is really part and parcel of his nature and substance, because to accept something from somebody is to accept some part of his spiritual essence, of his soul. To retain that thing would be dangerous and mortal, not only because it would be against law and morality, but also because that thing coming from the person not only morally, but physically and spiritually, that essence, that food,³³ those goods, whether movable or immovable, those women or those descendants, those rituals or those acts of communion — all exert a magical or religious hold over you. Finally, the thing given is not inactive. Invested with life, often possessing individuality, it seeks to return to what Hertz called its 'place of origin' or to produce, on behalf of the clan and the native soil from which it sprang, an equivalent to replace it.

III

OTHER THEMES: THE OBLIGATION TO GIVE, THE OBLIGATION TO RECEIVE

To understand completely the institution of 'total services' and of potlatch, one has still to discover the explanation of the two other elements that are complementary to the former. The institution of 'total services' does not merely carry with it the obligation to reciprocate presents received. It also supposes two other obligations just as important: the obligation, on the one hand, to

give presents, and on the other, to receive them. The complete theory of these three obligations, of these three themes relating to the same complex, would yield a satisfactory basic explanation for this form of contract among Polynesian clans. For the time being we can only sketch out how the subject might be treated.

It is easy to find many facts concerning the obligation to receive. For a clan, a household, a group of people, a guest, have no option but to ask for hospitality,³⁴ to receive presents, to enter into trading,³⁵ to contract alliances, through wives or blood kinship. The Dayaks have even developed a whole system of law and morality based upon the duty one has not to fail to share in the meal at which one is present or that one has seen in preparation.³⁶

The obligation to give is no less important; a study of it might enable us to understand how people have become exchangers of goods and services. We can only point out a few facts. To refuse to give,³⁷ to fail to invite, just as to refuse to accept,³⁸ is tantamount to declaring war; it is to reject the bond of alliance and commonality.³⁹ Also, one gives because one is compelled to do so, because the recipient possesses some kind of right of property over anything that belongs to the donor.⁴⁰ This ownership is expressed and conceived of as a spiritual bond. Thus in Australia the son-in-law who owes all the spoils of the hunt to his parents-in-law may not eat anything in their presence for fear that their mere breath will poison what he consumes.⁴¹ We have seen earlier the rights of this kind that the *taonga* nephew on the female side possesses in Samoa, which are exactly comparable to those of the nephew on the female side (*vasu*) in Fiji.⁴²

In all this there is a succession of rights and duties to consume and reciprocate, corresponding to rights and duties to offer and accept. Yet this intricate mingling of symmetrical and contrary rights and duties ceases to appear contradictory if, above all, one grasps that mixture of spiritual ties between things that to some

degree appertain to the soul, and individuals, and groups that to some extent treat one another as things.

All these institutions express one fact alone, one social system, one precise state of mind: everything – food, women, children, property, talismans, land, labour services, priestly functions, and ranks – is there for passing on, and for balancing accounts. Everything passes to and fro as if there were a constant exchange of a spiritual matter, including things and men, between clans and individuals, distributed between social ranks, the sexes, and the generations.

IV

NOTE: THE PRESENT MADE TO HUMANS, AND THE PRESENT MADE TO THE GODS

A fourth theme plays a part in this system and moral code relating to presents: it is that of the gift made to men in the sight of the gods and nature. We have not undertaken the general study that would be necessary to bring out its importance. Moreover, the facts we have available do not all relate to those geographical areas to which we have confined ourselves. Finally, the mythological element that we scarcely yet understand is too strong for us to leave it out of account. We shall therefore confine ourselves to a few remarks.

In all societies in Northeast Siberia⁴³ and among the Eskimos of West Alaska,⁴⁴ as with those on the Asian side of the Behring Straits, potlatch⁴⁵ produces an effect not only upon men, who vie with one another in generosity, not only upon the things they pass on to one another or consume at it, not only upon the souls of the dead who are present and take part in it, and whose names have been assumed by men, but even upon nature. The exchange of presents between men, the 'namesakes' – the homonyms of the spirits, incite the spirits of the dead, the gods, things, animals, and nature to be 'generous towards them'.⁴⁶ The

explanation is given that the exchange of gifts produces an abundance of riches. Nelson⁴⁷ and Porter⁴⁸ have provided us with a good description of these festivals and of their effect on the dead, on wild life, and on the whales and fish that are hunted and caught by the Eskimos. In the kind of language employed by the British trappers they have the expressive titles of 'Asking Festival',⁴⁹ or 'Inviting-in Festival'. They normally extend beyond the bounds of the winter villages. This effect upon nature is clearly brought out in one of the recent studies of these Eskimos.⁵⁰

The Asian Eskimos have even invented a kind of contraption, a wheel bedecked with all kinds of provisions borne on a sort of festive mast, itself surmounted by a walrus head. This portion of the mast projects out of the ceremonial tent whose support it forms. Using another wheel, it is manipulated inside the tent and turned in the direction of the sun's movement. The conjunction of all these themes could not be better demonstrated.⁵¹

It is also evident among the Chukchee⁵² and the Koryaka of the far northeast of Siberia. Both carry out the potlatch. But it is the Chukchee of the coast, just like their neighbours, the Yuit, the Asian Eskimos we have just mentioned, who most practise these obligatory and voluntary exchanges of gifts and presents during long drawn-out 'Thanksgiving Ceremonies',⁵³ thanksgiving rites that occur frequently in winter and that follow one after another in each of the houses. The remains of the banqueting sacrifice are cast into the sea or scattered to the winds; they return to their land of origin, taking with them the wild animals killed during the year, who will return the next year. Jochelson mentions festivals of the same kind among the Koryak, but he has not been present at them, except for the whale festival.⁵⁴ Among the latter, the system of sacrifice seems to be very well developed.⁵⁵

Bogoras⁵⁶ rightly compares these customs with those of the

Russian *Koliada*: children wearing masks go from house to house demanding eggs and flour that one does not dare refuse to give them. We know that this custom is a European one.⁵⁷

The relationships that exist between these contracts and exchanges among humans and those between men and the gods throw light on a whole aspect of the theory of sacrifice. First, they are perfectly understood, particularly in those societies in which, although contractual and economic rituals are practised between men, these men are the masked incarnations, often Shaman priest-sorcerers, possessed by the spirit whose name they bear. In reality, they merely act as representatives of the spirits,⁵⁸ because these exchanges and contracts not only bear people and things along in their wake, but also the sacred beings that, to a greater or lesser extent, are associated with them.⁵⁹ This is very clearly the case in the Tlingit potlatch, in one of the two kinds of *Haïda* potlatch, and in the Eskimo potlatch.

This evolution was a natural one. One of the first groups of beings with which men had to enter into contract, and who, by definition, were there to make a contract with them, were above all the spirits of both the dead and of the gods. Indeed, it is they who are the true owners of the things and possessions of this world.⁶⁰ With them it was most necessary to exchange, and with them it was most dangerous not to exchange. Yet, conversely, it was with them it was easiest and safest to exchange. The purpose of destruction by sacrifice is precisely that it is an act of giving that is necessarily reciprocated. All the forms of potlatch in the American Northwest and in Northeast Asia know this theme of destruction.⁶¹ It is not only in order to display power, wealth, and lack of self-interest that slaves are put to death, precious oils burnt, copper objects cast into the sea, and even the houses of princes set on fire. It is also in order to sacrifice to the spirits and the gods, indistinguishable from their living embodiments, who bear their titles and are their initiates and allies.

Yet already another theme appears that no longer needs this

human underpinning, one that may be as ancient as the potlatch itself: it is believed that purchases must be made from the gods, who can set the price of things. Perhaps nowhere is this idea more characteristically expressed than among the *Toradja* of Celebes Island. *Kruyt*⁶² tells us 'that there the owner must "purchase" from the spirits the right to carry out certain actions on "his" property', which is really theirs. Before cutting "his" wood, before even tilling "his" soil or planting the upright post of "his" house, the gods must be paid. Whereas the idea of purchase even seems very little developed in the civil and commercial usage of the *Toradja*,⁶³ on the contrary this idea of purchase from the spirits and the gods is utterly constant.

Malinowski, reporting on forms of exchange that we shall describe shortly, points to acts of the same kind in the *Trobriand* Islands. An evil spirit, a *tauva'u* whose corpse has been found (that of a snake or land crab) may be exorcised by presenting to it one of the *vaygu'a*, a precious object that is both an ornament or talisman and an object of wealth used in the exchanges of the *kula*. This gift has an immediate effect upon the mind of this spirit.⁶⁴ Moreover, at the festival of the *mila-mila*,⁶⁵ a potlatch to honour the dead, the two kinds of *vaygu'a*, those of the *kula* and those that Malinowski for the first time⁶⁶ calls 'permanent' *vaygu'a*, are displayed and offered to the spirits on a platform identical to that of the chief. This makes their spirits benevolent. They carry off to the land of the dead⁶⁷ the shades of these precious objects, where they vie with one another in their wealth just as living men do upon returning from a solemn *kula*.⁶⁸

Van Ossenbruggen, who is not only a theorist but also a distinguished observer living on the spot, has noticed another characteristic of these institutions.⁶⁹ Gifts to humans and to the gods also serve the purpose of buying peace between them both. In this way evil spirits and, more generally, bad influences, even not personalized, are got rid of. A man's curse allows jealous spirits to enter into you and kill you, and evil influences to act.

Wrongs done to men make a guilty person weak when faced with sinister spirits and things. Van Ossenbruggen particularly interprets in this way the strewing of money along the path of the wedding procession in China, and even the bride-price. This is an interesting suggestion from which a whole series of facts needs to be unravelled.⁷⁰

It is evident that here a start can be made on formulating a theory and history of contract sacrifice. Contract sacrifice supposes institutions of the kind we have described and, conversely, contract sacrifice realizes them to the full, because those gods who give and return gifts are there to give a considerable thing in the place of a small one.

It is perhaps not a result of pure chance that the two solemn formulas of the contract – in Latin, *do ut des*, in Sanskrit, *dadāmi se, dehi me*⁷¹ – also have been preserved in religious texts.

NOTE ON ALMS

Later, however, in the evolution of laws and religions, men appear once more, having become again the representatives of the gods and the dead, if they have ever ceased to be. For example, among the Hausa in the Sudan, when the Guinea corn is ripe, fevers may spread. The only way to avoid this fever is to make presents of this grain to the poor.⁷² Also among the Hausa (but this time in Tripoli), at the time of the Great Prayer (*Baban Salla*), the children (these customs are Mediterranean and European) visit houses: 'Should I enter?' The reply is: 'O long-eared hare, for a bone, one gets services.' (A poor person is happy to work for the rich.) These gifts to children and the poor are pleasing to the dead.⁷³ Among the Hausa these customs may be of Moslem origin,⁷⁴ both Negro and European at the same time, and Berber also.

In any case here one can see how a theory of alms can develop. Alms are the fruits of a moral notion of the gift and of fortune⁷⁵

on the one hand, and of a notion of sacrifice, on the other. Generosity is an obligation, because Nemesis avenges the poor and the gods for the superabundance of happiness and wealth of certain people who should rid themselves of it. This is the ancient morality of the gift, which has become a principle of justice. The gods and the spirits accept that the share of wealth and happiness that has been offered to them and had been hitherto destroyed in useless sacrifices should serve the poor and children.⁷⁶ In recounting this we are recounting the history of the moral ideas of the Semites. The Arab *sadaka* originally meant exclusively justice, as did the Hebrew *zedaka*:⁷⁷ it has come to mean alms. We can even date from the Mischnaic era, from the victory of the 'Poor' in Jerusalem, the time when the doctrine of charity and alms was born, which, with Christianity and Islam, spread around the world. It was at this time that the word *zedaka* changed in meaning, because in the Bible it did not mean alms.

However, let us return to our main subject: the gift, and the obligation to reciprocate. These documents and comments have not merely local ethnographic interest. A comparison can broaden the scope of these facts, deepening their meaning.

The basic elements of the potlatch⁷⁸ can therefore be found in Polynesia, even if the institution in its entirety is not to be found there.⁷⁹ In any case 'exchange-through-gift' is the rule there. Yet, it would be merely pure scholasticism to dwell on this theme of the law if it were only Maori, or at the most, Polynesian. Let us shift the emphasis of the subject. We can show, at least as regards the obligation to reciprocate, that it has a completely different sphere of application. We shall likewise point out the extension of other obligations and prove that this interpretation is valid for several other groups of societies.

2

THE EXTENSION OF THIS SYSTEM

Liberality, honour, money

THE RULES OF GENEROSITY: THE ANDAMAN ISLANDS*

First, these customs are also to be found among the Pygmies, who, according to Fr Schmidt,¹ are the most primitive of peoples. As early as 1906 Brown observed facts of this kind among the Andaman Islanders (North Island) and described them extremely well with regard to hospitality between local groups and visitors to festivals and fairs that serve as occasions for voluntary and obligatory exchanges (a trade in ochre and sea products against the products of the forest, etc.):

In spite of the considerable volume of these exchanges, since

the local group and the family, in other cases, know how to be self-sufficient in tools, etc. . . . these presents do not serve the same purpose as commerce and exchange in more developed societies. The goal is above all a moral one, the object being to foster friendly feelings between the two persons in question, and if the exercise failed to do so, everything had failed.²

Nobody is free to refuse the present that is offered. Everyone, men and women, tries to . . . outdo one another in generosity. A kind of rivalry existed to see who could give the greatest number of objects of the greatest value.³

Presents put the seal upon marriage and form a link of kinship between the two pairs of parents. They give the two 'sides' the same nature, and this identical nature is made clearly manifest in the prohibition that, from the first betrothal vows to the very end of their days, places a taboo on the two groups of parents, who from then onwards do not see each other or communicate verbally, but continue constantly to exchange presents.⁴ In reality this prohibition expresses both the close relations and the fear that reign between this type of reciprocal creditors and debtors. The proof that this is the underlying principle is shown by the fact that the same taboo, indicative simultaneously both of closeness and remoteness in relationships, is also established between young people of both sexes who have undergone at the same time the ceremonies of 'eating turtle and eating pig'⁵ and who are likewise bound for life to exchange presents. Facts of this kind are also observed in Australia.⁶ Brown again reports on the rituals of meeting after a long separation, the act of embrace, the greeting made in tears, and shows how the exchange of presents is their equivalent,⁷ and how feelings and persons are mixed up together.⁸

In short, this represents an intermingling. Souls are mixed with things; things with souls. Lives are mingled together, and this is how, among persons and things so intermingled, each

* See notes for Chapter 2, p. 97, introductory paragraph.

emerges from their own sphere and mixes together. This is precisely what contract and exchange are.

II PRINCIPLES, REASONS, AND THE INTENSITY OF EXCHANGE OF GIFTS (MELANESIA)

More so than the peoples of Polynesia, those of Melanesia have preserved or developed the potlatch,⁹ although this is not a matter that concerns us here. In any case, the Melanesians, better than the Polynesians, have on the one hand preserved, and on the other, developed the whole system of gifts and this form of exchange. Since, moreover, with the former the notion of money¹⁰ emerges much more clearly than in Polynesia, the system becomes in part complicated, but is also more clear-cut.

New Caledonia

Here we again find not only those ideas we seek to highlight, but even their expression in the characteristic documents that Leenhardt has collected about the New Caledonians. He began by describing the pilou-pilou and the system of festivals, gifts and services of all kinds¹¹ that we should not hesitate to term 'potlatch'. The legal terms used in the solemn speeches made by the herald are entirely typical. Thus, at the ceremonial presentation of festival yams,¹² the herald says: 'If there is some ancient pilou before which we have not been, there, among the Wi, etc. . . . , this yam hastens to it as once such a yam came from them to us.'¹³ It is the thing itself that comes back. Later in the same speech, it is the spirit of their ancestors who causes 'to descend . . . upon these portions of food the effects of their action and strength.' 'The result of the action you have accomplished appears today. Every generation has appeared in its mouth.' Another way of representing the legal tie, one no less expressive,

is: 'Our festivals are the movement of the hook that serves to bind together the various sections of the straw roofing so as to make one single roof, one single word.'¹⁴ It is the same things that return, the same thread that passes through.¹⁵ Other authors also point out these facts.¹⁶

Trobriand Islands

At the other end of the Melanesian world a very well-developed system is equivalent to that of the New Caledonians. The inhabitants of the Trobriand Islands are among the most civilized of these races. Today they are wealthy pearl fishermen, and, before the arrival of the Europeans, they were rich pottery manufacturers and makers of shell money, stone axes, and precious goods. They have always been good traders and bold navigators. Malinowski gives them a name that fits them exactly when he compares them to Jason's fellow voyagers: 'Argonauts of the Western Pacific'. In one of the best volumes of descriptive sociology, focusing, so to speak, on the subject that concerns us, he has described the complete system of inter- and intratribal trade that goes under the name of kula.¹⁷ We still await from him the description of all the institutions that are governed by the same principles of law and economics: marriage, the festival of the dead, initiation, etc. Consequently, the description that we shall give is still only provisional. But the facts are of capital importance, and are plain.¹⁸

Trobriand
The kula is a sort of grand potlatch. The vehicle for busy inter-tribal trade, it extends over the whole of the Trobriand Islands, a part of the Entrecasteaux Islands, and the Amphlett Islands. In all these territories it indirectly involves all the tribes and, directly, a few of the large tribes – the Dobu in the Amphletts, the Kiriwina, the Sinaketa, and Kitav in the Trobriands, and the Vakuta on Woodlark Island. Malinowski gives no translation of kula, which doubtless means 'circle'. Indeed it is as if all these

tribes, these expeditions across the sea, these precious things and objects for use, these types of food and festivals, these services rendered of all kinds, ritual and sexual, these men and women, — were caught up in a circle,¹⁹ following around this circle a regular movement in time and space.

Kula trade is of a noble kind.²⁰ It seems to be reserved for the chiefs. The latter are at one and the same time the leaders of fleets of ships and boats. They are the traders, and also the recipients of gifts from their vassals, who are in fact also their children and brothers-in-law, their subjects, and at the same time the chiefs of various vassal villages. Trade is carried on in a noble fashion, apparently in a disinterested and modest way.²¹ It is distinguished carefully from the mere economic exchange of useful goods, which is called *gimwali*.²² In fact, the latter is carried on, as well as the *kula*, in the large primitive fairs that constitute the gatherings of the intertribal *kula*, or in the small markets of the intratribal *kula*. It is marked by very hard bargaining between the two parties, a practice unworthy of the *kula*. Of an individual who does not proceed in the *kula* with the necessary greatness of soul, it is said that he is 'conducting it like a *gimwali*.' In appearance, at the very least, the *kula* — as in the potlatch of the American Northwest — consists in giving by some, and receiving by others.²³ The recipients of one day become the givers on the next. In the most complete form, the most solemn, lofty, and competitive form of the *kula*,²⁴ that of the great sea expeditions, the *Uvalaku*, it is even the rule to leave without having anything to exchange, without even having anything to give, although it might be exchanged for food, which one refuses even to ask for. One pretends only to receive. It is when the visiting tribe plays host the following year to the fleet of the tribe that has been visited that the presents will be reciprocated with interest.

However, in *kula* not given on such a grand scale, advantage is taken of the sea journey to exchange cargoes. The nobles themselves carry on trade. About this there is much native theory.

Numerous objects are solicited,²⁵ asked for, and exchanged, and every kind of relationship is established outside the *kula*, which, however, always remains the purpose, and the decisive moment in these relationships.

The act of giving itself assumes very solemn forms: the thing received is disclaimed and mistrusted; it is only taken up for a moment, after it has been cast at one's feet. The giver affects an exaggerated modesty:²⁶ having solemnly brought on his present, to the sound of a seashell, he excuses himself for giving only the last of what remains to him, and throws down the object to be given at the feet of his rival and partner.²⁷ However, the seashell and the herald proclaim to everybody the solemn nature of this act of transfer. The aim of all this is to display generosity, freedom, and autonomous action, as well as greatness.²⁸ Yet, all in all, it is mechanisms of obligation, and even of obligation through things, that are called into play.

The essential objects in these exchange-gifts are the *vaygu'a*, a kind of money.²⁹ It is of two kinds: the *mwali*, which are beautiful bracelets, carved, polished, and placed in a shell, and worn on great occasions by their owners or relatives; and the *soulava*, necklaces fashioned by the skilful craftsmen of Sinaketa in a pretty mother-of-pearl made from red spondylus. They are solemnly worn by the women,³⁰ and, in cases of great anguish, exceptionally by the men.³¹ Normally, however, both kinds are hoarded and treasured. They are kept for the sheer pleasure of possessing them. The making of the bracelets, fishing for and making the necklaces into jewellery, the trade in these two objects of exchange and prestige, together with other forms of trade that are more profane and vulgar, constitute the source of the Trobriand people's fortune.

According to Malinowski, these *vaygu'a* follow a kind of circular movement: the *mwali*, the bracelets, are passed on regularly from west to east, whereas the *soulava* always travel from east to west.³² These two movements in opposite directions occur in all

the islands – Trobriand, Entrecasteaux, Amphlett, the remote islands – Woodlark, Marshall Bennett, Tubetube – and finally the extreme southeast coast of New Guinea, from which come the unworked bracelets. There this trade meets the great expeditions of the same kind that come from New Guinea (South Massim),³³ which Seligmann has described.

In principle the circulation of these signs of wealth is continuous and unerring. They must not be kept too long a time, nor must one be slow or difficult in passing them on.³⁴ One should not present them to anyone other than certain partners, nor save in a certain direction – the ‘bracelet’ or the ‘necklace’ direction.³⁵ One can and should keep them from one kula to the next, and the whole community is proud of the *vaygu’a* that one of its chiefs has obtained. There are even occasions, such as in the preparation of funeral ceremonies, of great *s’oi*, when it is permitted always to receive and to give nothing in return.³⁶ Yet this is in order to give back everything and to spend everything, when the festival has begun. Thus it is indeed ownership that one obtains with the gift that one receives. But it is ownership of a certain kind. One could say that it partakes of all kinds of legal principles that we, more modern, have carefully isolated from one another. It is ownership and possession, a pledge and something hired out, a thing sold and bought, and at the same time deposited, mandated, and bequeathed in order to be passed on to another. For it is only given you on condition that you make use of it for another or pass it on to a third person, the ‘distant partner’, the *murimuri*.³⁷ Such is the nature of this economic, legal, and moral entity, which is truly typical, as Malinowski was able to discover, find again, observe, and describe.

This institution has also its mythical, religious, and magical aspect. The *vaygu’a* are not unimportant things, mere pieces of money. Each one, at least the dearest and the most sought after – and other objects enjoy the same prestige³⁸ – each one has its name,³⁹ a personality, a history, and even a tale attached to it. So

much is this so that certain individuals even take their own name from them. It is not possible to say whether they are really the object of a cult, for the Trobriand people are, after their fashion, positivists. Yet one cannot fail to acknowledge the eminent and sacred nature of the objects. To possess one is ‘exhilarating, strengthening, and calming in itself.’⁴⁰ Their owners fondle and look at them for hours. Mere contact with them passes on their virtues.⁴¹ *Vaygu’a* are placed on the forehead, on the chest of a dying person, they are rubbed on his stomach, and dangled before his nose. They are his supreme comfort.

Yet there is even more to it than this. The contract itself partakes of this nature of the *vaygu’a*. Not only the bracelets and the necklaces, but even all the goods, ornaments, and weapons, everything that belongs to the partner, is so imbued with it, at least emotionally if not in his inmost soul, that they participate in the contract.⁴² A very beautiful phrase, ‘the enchantment of the seashell’⁴³ serves, after the possessions have been evoked, to cast a spell over and move towards the ‘partner-candidate’ the things that he must ask for and receive.⁴⁴

[A state of excitement⁴⁵ takes hold of my partner]⁴⁶
A state of excitement takes hold of his dog,
A state of excitement takes hold of his belt . . .

And so on: ‘of his *gwara* [the taboo on coconuts and betel nuts];⁴⁷ of his necklace *bagido’u*; of his necklace *bagiriku*; of his necklace *bagidudu*,⁴⁸ etc., etc.’

Another more mythical,⁴⁹ even more curious phrase, but of a more common type, expresses the same idea. The partner of the *kula* has an animal to assist him, a crocodile that he calls upon that has to bring him the necklaces [in Kitava, the *mwali*]:

The crocodile falls upon him, carries off your man, and shoves him under the *gebobo* (the cargo hold on a boat).

Crocodile, bring me the necklace, bring me the *bagido'u*, the *bagiriku*, etc.

A formula that comes earlier in the same ritual invokes a bird of prey.⁵⁰

The last formula of enchantment used by those associated with or contracting in the ritual [at Dobu or at Kitava, by the people of Kiriwina] contains a couplet⁵¹ of which two interpretations are given. Moreover, the ritual is very long and is repeated at length. Its purpose is to enumerate all that the *kula* proscribes, all the things relating to hatred and war that must be exorcised in order to be able to trade between friends.

Your fury, the dog turns up its nose at it;
Your war paint, the dog turns up its nose at it, etc.,

Other versions go as follows:⁵²

Your fury, the dog is docile at, etc.

OR:

Your fury takes off like the tide. The dog plays;
Your anger takes off like the tide. The dog plays; etc.

This must be understood as: 'Your fury becomes like the dog who is playing.' The essential element is the metaphor of the dog that gets up to lick the hand of its master. So the man, if not the woman of Dobu, should also act. A second interpretation, sophisticated and not untinged with scholasticism, so Malinowski declares, but clearly a very local one, gives a different gloss that ties in better with what we know:

The dogs are playfully nuzzling one another. When you

mention this word 'dog', the precious things also come [to play], as has long been ordained. We have given bracelets, necklaces will come. Both will meet each other (like the dogs who come sniffing at one another).

The expression, in the form of a parable, is a pretty one. The entire set of collective sentiments is expressed at a stroke: the potential hatred between associates, the isolation of the *vaygu'a*, ceasing as if by magic; men and precious things coming together like dogs that play and run up at the sound of one's voice.

Another symbolic expression is that of the marriage of the *mwali*, the bracelets, the feminine symbols, with the *soulava*, the necklaces, the masculine symbols, which stretch out towards each other, as does male towards female.⁵³

These various metaphors signify exactly the same thing as is characterized in different terms by the mythical jurisprudence of the Maori. Sociologically, it is once again the mixture of things, values, contracts, and men that is so expressed.⁵⁴

Unfortunately, our knowledge of the legal rule that governs these transactions is defective. It is either an unconscious rule, imperfectly formulated by the Kiriwina people, Malinowski's informants; or, if it is clear for the Trobriand people, it should be the subject of a fresh enquiry. We only possess details. The first gift of a *vaygu'a* bears the name of *vaga*, 'opening gift'.⁵⁵ It is the starting point, one that irrevocably commits the recipient to make a reciprocating gift, the *yotile*,⁵⁶ which Malinowski felicitously translates as the 'clinging gift': the gift that seals the transaction. Another name for this latter gift is *kudu*, the tooth that bites, that really cuts, bites through, and liberates.⁵⁷ It is obligatory; it is expected, and it must be equivalent to the first gift. Occasionally it may be seized by force or by surprise.⁵⁸ For a *yotile* that is an insufficient return gift, revenge may⁵⁹ be taken⁶⁰ by magic, or at the very least by insult and a display of resentment. If one is not able to reciprocate, at the very least one may

offer a *basi*, which merely 'pierces' the skin, does not bite, and does not conclude the affair. It is a kind of advance present, whose purpose is to delay. It appeases the former donor, now the creditor; but does not free the debtor,⁶¹ the future donor. These are all curious details, and everything about these expressions is striking. Yet we do not know the sanction behind it. Is it purely moral⁶² and magical? The individual who is 'obdurate at the *kula*', is he only scorned, and if needs be, cast under a spell? Does the partner who does not keep faith lose anything else: his noble rank, or at least his place among the chiefs? This we still need to know.

Yet from another viewpoint the system is typical. Except for ancient Germanic law that we shall be discussing later, in the present state of our observations and historical, juridical, and economic knowledge, it would be difficult to come across a custom of gift-through-exchange more clear-cut, complete, and consciously performed, and, moreover, better understood by the observer recording it than the one Malinowski found among the Trobriand people.⁶³

The *kula*, its essential form, is itself only one element, the most solemn one, in a vast system of services rendered and reciprocated, which indeed seems to embrace the whole of Trobriand economic and civil life. The *kula* seems to be merely the culminating point of that life, particularly the *kula* between nations and tribes. It is certainly one of the purposes of existence and for undertaking long voyages. Yet in the end, only the chiefs, and even solely those drawn from the coastal tribes – and then only a few – do in fact take part in it. The *kula* merely gives concrete expression to many other institutions, bringing them together.

First, the exchange of the *vaygu'a* themselves during the *kula* forms the framework for a whole series of other exchanges, extremely diverse in scope, ranging from bargaining to remuneration, from solicitation to pure politeness, from out-and-out hospitality to reticence and reserve. In the first place,

except for the *uvalaku*, large-scale solemn expeditions that are purely ceremonial and competitive,⁶⁴ all the *kula* provide the occasion for *gimwali*, which are commonplace exchanges, not necessarily occurring between partners.⁶⁵ A free market exists between individuals of allied tribes, side by side with closer associations. In the second place, between partners in a *kula* there pass, as if in a perpetual chain, additional gifts, presented and reciprocated, as well as obligatory transactions. The *kula* even takes these for granted. The association that is constituted, and which is the principle of the *kula*,⁶⁶ begins with a first gift, the *vaga*, that is solicited with all one's might by means of 'inducements'. For this first gift the future partner, still a free agent, can be wooed, and he is rewarded, so to speak, by a preliminary series of gifts.⁶⁷ Whilst one is certain that the reciprocating *vaygu'a*, the *yotile*, the 'clinging gift', will be returned, one is not sure that the *vaga* will be given, or even that the 'inducements' will be accepted. This way of soliciting and accepting a gift is the rule; each of the presents made in this way bears a special name. They are placed on display before being offered. In that case they are termed *pari*.⁶⁸ Others bear names that indicate the noble and magical nature of the object that is offered.⁶⁹ But if one accepts one of these presents it shows that one is disposed to enter into the game, if not to remain in it for long. Certain names given to these presents express the legal situation that acceptance of them entails:⁷⁰ this time the matter is regarded as settled. The present is normally something fairly valuable: for example, a large, polished stone axe, or a whalebone spoon. To accept it is to bind oneself definitively to making a gift of the *vaga*, the first present that is sought after. But one is still only half-committed as a partner. Only the solemn observance of the tradition commits one completely. The importance and nature of these gifts springs from the extraordinary competition that occurs between the potential partners in the expedition that arrives. They seek out the best possible partner in the opposing tribe. The affair is a

serious matter, for the association one attempts to create establishes a kind of clan link between the partners.⁷¹ Thus to choose, one must attract and dazzle the other person.⁷² Whilst rank is taken into account,⁷³ one must attain one's goal before the others, or in a better way than they do, so bringing about more plentiful exchanges of the most valuable things, which are naturally the property of the richest people. Competition, rivalry, ostentatiousness, the seeking after the grandiose, and the stimulation of interest – these are the various motives that underlie all these actions.⁷⁴

These are the arrival gifts. Other gifts, equivalent in value to them, are made in return. These are the departure gifts (called *talo'i* at Sinaketa),⁷⁵ made upon taking leave; they are always superior to the arrival gifts. Already the cycle of total services and total counter-services with interest is being completed side by side with the *kula*.

There have naturally been – throughout the time these transactions last – services of hospitality and food, and at Sinaketa, relating to women.⁷⁶ Finally, throughout this period, other additional gifts, always reciprocated regularly, are offered. It would even appear to us that the exchange of these *korotumna* represents a primitive form of the *kula* – when it consisted also of exchanging stone axes⁷⁷ and the rounded tusks of the wild pig.⁷⁸

Moreover, in our view the whole intertribal *kula* is merely the extreme case, the most solemn and most dramatic one, of a more general system. This takes the tribe itself, in its entirety, out of the narrow sphere of its physical boundaries, and even of its interests and rights. Yet within the tribe the clans and villages are normally joined by links of the same kind. In that case it is only local and domestic groups, together with their chiefs, who leave their homes, pay visits, trade, and intermarry. This may no longer be termed a *kula*. However, Malinowski, contrasting it with the 'coastal *kula*', rightly talks of the 'internal *kula*' and of

'*kula* communities', which provide the chief with the objects he will exchange. However, it is not overstating it to speak in such cases of a potlatch proper. For example, the visits of the Kiriwana people to Kitawa for the *s'oi*,⁷⁹ the funeral festivals, include many things other than the exchange of the *vaygu'a*. One can see them as a kind of simulated attack (*youlawada*),⁸⁰ and a distribution of food, with a display of pigs and yams.

Furthermore, the *vaygu'a* and all such objects are not always acquired, made, and exchanged by the chiefs themselves.⁸¹ Indeed, it may be said that they are neither made⁸² nor exchanged by the chiefs for their own advantage. Most come to the chiefs in the form of gifts from relatives of a lower rank, in particular from brothers-in-law, who are at the same time vassals,⁸³ or from sons who hold land separately as vassals. In return, most of the *vaygu'a*, upon the return of the expedition, are solemnly passed on to the chiefs of the villages and clans, and even to the common people of associated clans – in brief, to whoever has taken part, directly or indirectly, and often very indirectly, in the expedition.⁸⁴ In this way the latter are compensated.

Finally, side by side with, or if one wishes, above, below, and all around, and, in our opinion, at the bottom of this system of internal *kula*, the system of gift-through-exchange permeates all the economic, tribal, and moral life of the Trobriand people. It is 'impregnated' with it, as Malinowski very neatly expressed it. It is a constant 'give and take'.⁸⁵ The process is marked by a continuous flow in all directions of presents given, accepted, and reciprocated, obligatorily and out of self-interest, by reason of greatness and for services rendered, through challenges and pledges. Here we cannot set out all the facts. Moreover, their publication by Malinowski himself is not yet complete. First, however, here are two main facts.

An entirely analogous relationship to that of the *kula* is that of the *wasi*.⁸⁶ It establishes regular acts of exchange, which are

obligatory between, on the one hand, agricultural tribes, and on the other hand, coastal tribes. The agricultural partner comes to lay his products in front of the house of his fisherman associate. On another occasion, the latter, after a big fishing expedition, will go to the agricultural village to repay these with interest from the fruits of his catch.⁸⁷ It is the same system of division of labour as we have noted in New Zealand.

Another important kind of exchange takes on the form of exhibitions.⁸⁸ Such are the *sagali*, distributions of food⁸⁹ on a grand scale, that are made on several occasions: at harvest time, at the building of the chief's hut or new boats, or at funeral festivals.⁹⁰ These distributions are made to groups that have performed some service for the chief or his clan:⁹¹ cultivation of the land, the transporting of the large tree trunks from which boats or beams are carved, and for services rendered at funerals by the members of the dead person's clan, etc. These distributions are absolutely equivalent to the Tlingit potlatch. Even the themes of combat and rivalry appear. In it, clans and phratries, and families allied to one another, confront one another. Generally distributions seem to be due to group action, in so far as the personality of the chief does not make itself felt.

Yet in addition to these group rights and this collective economy, already less resembling the *kula*, all individual relationships of exchange seem to us to be of this type. Perhaps only a few consist of mere barter. However, as barter is hardly carried on except between relatives, allies, or partners in the *kula* and the *wasi*, it does not seem that exchange is really free. Generally, even what is received and has come into one's possession in this way — in whatever manner — is not kept for oneself, unless one cannot do without it. Normally it is passed on to someone else, to a brother-in-law, for example.⁹² It can happen that the identical things one has acquired and then given away come back to one in the course of the same day.

All the rewards for 'total services' of any kind, things and

services, fall within this category. In random order, the following are the most important.

The *pokala*⁹³ and *kaributu*,⁹⁴ 'solicitory gifts', which we have noted in the *kula*, are species of a much larger category that corresponds fairly closely to what we term 'remuneration'. They are offered to the gods and the spirits. Another generic name for the 'remuneration' is *wakapula*⁹⁵ and *mapula*.⁹⁶ They are marks of gratitude and hospitable welcome and must be reciprocated. In this connection, in our opinion Malinowski⁹⁷ has made a very great discovery that sheds light upon all the economic and juridical relationships between the sexes within marriage: the services of all kinds rendered to the wife by her husband are considered as a remuneration-cum-gift for the service rendered by the wife when she lends what the Koran still calls 'the field'.

The somewhat childish legal language of the Trobriand Islanders has given rise to a proliferation of distinctive names for all kinds of total counter-services, according to the name of the service that is being compensated,⁹⁸ the thing given,⁹⁹ the occasion,¹⁰⁰ etc. Certain names take all these considerations into account; for example, the gift made to a magic man, or for the acquisition of a title, is called *laga*.¹⁰¹ One cannot credit the extent to which all such vocabulary is complicated by a curious incapacity to divide and define, and by the strange refinements that are given to names.

Other Melanesian societies

One need not multiply the comparisons with other areas of Melanesia. However a few details gleaned here and there will strengthen conviction and prove that the Trobriand people and the New Caledonians have not developed in an abnormal way a principle that might not be found among kindred peoples.

At the southern limit of Melanesia, in Fiji, where we have identified the existence of potlatch, other remarkable institutions

thrive that belong to the gift system. There is a season, termed *kere-kere*, during which nobody must be refused anything.¹⁰² Gifts are exchanged between the two families on the occasion of a marriage, etc.¹⁰³ Moreover the money of Fiji, of sperm whale's teeth, is exactly of the same kind as that of the Trobriands. It bears the name of *tambua*,¹⁰⁴ it is decorated with stones ('mothers of the teeth') and ornaments that are kinds of mascots, talismans, and 'good-luck' objects of the tribe. The feelings cherished by the Fijians for their *tambua* are exactly the same as those we have just described: 'they are treated like dolls. They are taken out of the basket and admired, their beauty is spoken of; their "mother" is oiled and polished.'¹⁰⁵ To present them constitutes a request; to accept them is to commit oneself.¹⁰⁶

The Melanesians of New Guinea and certain Papuans influenced by them call their money *tau-tau*.¹⁰⁷ It is of the same kind and the object of the same beliefs as that of the Trobriand Islanders.¹⁰⁸ But this name must also be compared with that of *tahu-ahu*,¹⁰⁹ which means the 'borrowing of pigs' (Motu and Koita), and is a name¹¹⁰ familiar to us. It is the very Polynesian term, the root of the word *taonga*, which in Samoa and New Zealand means the jewels and possessions incorporated into the family. The words themselves are Polynesian, as are the things.¹¹¹

It is known that the Melanesians and Papuans of New Guinea practise the potlatch.¹¹²

The fine documents that Thurnwald has passed on to us concerning the tribes of Buin¹¹³ and the Banaro¹¹⁴ have already provided us with numerous points of comparison. The religious nature of the things exchanged is apparent, particularly that of money, in the way that it rewards songs, women, love, and services. As in the Trobriand Islands, it is a kind of pledge. Finally, Thurnwald has analysed in a sound case-study¹¹⁵ one of the facts that best illustrates both what this system of reciprocal gifts consists of, and what is incorrectly called marriage by purchase. In reality this seems to include services to all involved,

including the family-in-law. The wife whose parents have not sent sufficient return presents is sent back to them.

To sum up, the whole area of the islands, and probably part of the world of Southern Asia that is related to it, possess the same legal and economic system.

The conception one should have regarding these Melanesian tribes, even richer and more committed to trade than the Polynesians, is therefore very different from normal. These peoples possess an extra domestic economy and a very developed system of exchange that throbs with life more intensely and more precipitantly perhaps than the one that our peasants or the fishing villages along our coasts were familiar with maybe not even a hundred years ago. They have an extensive economic life, going beyond the confines of the islands and their dialects, which represents a considerable trade. Through gifts made and reciprocated they have robustly replaced a system of buying and selling.

The stumbling block that these laws and, as we shall also see, Germanic law, came up against, was their inability to isolate and divide up their economic and juridical concepts. But they had no need to do so. In these societies neither the clan nor the family is able to isolate itself or dissociate its actions. Nor are individuals themselves, however influential and aware, capable of understanding that they need to oppose one another and learn how to dissociate their actions from one another. The chief is merged with his clan, and the clan with him. Individuals feel themselves acting in only one way. Holmes perceptively remarks that the two dialects, Papuan and Melanesian, of the tribes that he encountered at the mouth of the Finke river (Toaripi and Namau) have 'one single term to designate buying and selling, lending and borrowing'. Operations that are 'opposites are expressed by the same word'.¹¹⁶ 'Strictly speaking they did not know how to borrow and lend in the sense that we employ these terms, but there was always something given in the shape of an honorarium for borrowing, and which was returned when the

loan was repaid.¹¹⁷ These men have no conception of either selling or borrowing, but nevertheless carry out juridical and economic operations that fulfil the same functions.

Likewise the notion of barter is no more natural for the Melanesians than for the Polynesians.

One of the best ethnographers, Kruyt, whilst he uses the word 'selling', describes exactly¹¹⁸ this state of mind as it exists among the inhabitants of the central Celebes islands. Yet the Toradja have been for a long while in contact with the Malaysians, who are great traders.

Thus one section of humanity, comparatively rich, hard-working, and creating considerable surpluses, has known how to, and still does know how to, exchange things of great value, under different forms and for reasons different from those with which we are familiar.

III THE AMERICAN NORTHWEST

Honour and credit

From these observations about a few Melanesian and Polynesian peoples there already emerges a very clearly defined picture of this system of the gift. Material and moral life, and exchange, function within it in a form that is both disinterested and obligatory. Moreover, this obligation is expressed in a mythical and imaginary way or, one might say, symbolic and collective. It assumes an aspect that centres on the interest attached to the things exchanged. These are never completely detached from those carrying out the exchange. The mutual ties and alliance that they establish are comparatively indissoluble. In reality this symbol of social life – the permanence of influence over the things exchanged – serves merely to reflect somewhat directly the manner in which the subgroups in these segmented

societies, archaic in type and constantly enmeshed with one another, feel that they are everything to one another.

The Indian societies of the American Northwest display the same institutions, although with them they are even more radical and more marked. First, one can say that barter is unknown. Even after long contact with Europeans,¹¹⁹ apparently none of the considerable transfers of wealth¹²⁰ constantly taking place among them is carried out save in the solemn form of the pot-latch.¹²¹ We shall describe this institution as it relates to our study.

Before doing so, a brief description of these societies is indispensable. The tribes, peoples, or rather groups of tribes¹²² we shall discuss all reside on the Northwest coast of America, in Alaska: Tlingit and Haïda; and in British Columbia, mainly the Haïda, Tsimshian, and Kwakiutl.¹²³ They also live from the sea, or from the rivers, from fishing rather than hunting. But, unlike the Melanesians and Polynesians, they have no agriculture. However, they are very rich, and even now their fishing grounds, hunting grounds, and fur-trapping provide them with considerable surpluses, particularly when reckoned in European terms. They have the most solidly built houses of all the American tribes, and a very highly developed cedarwood industry. Their boats are good, and although they hardly venture out on the open sea, they know how to navigate between the islands and the coasts. Their material arts are of a very high order. In particular, even before the arrival of iron in the eighteenth century, they knew how to extract, melt down, mould, and beat out the copper that is to be found in a raw state in the Tsimshian and Tlingit lands. Certain kinds of this copper, real armorial shields, served as a kind of money for them. Another kind of money was certainly the beautiful, so-called Chilkat, blankets of wonderfully different colours that still serve as adornment,¹²⁴ some of them of considerable value. These peoples have excellent sculptors and professional designers. Their pipes, tomahawks, sticks, spoons

carved out of horn, etc., embellish our ethnographic collections. The whole of this civilization is remarkably uniform, within very broad limits. Clearly, these societies mingled with one another from very ancient times, although they belong, at least in language, to no less than three different families of peoples.¹²⁵ Their life in winter, even for the southernmost tribes, is very different from that in summer. The tribes have a dual structure: from the end of spring they disperse to go hunting, to gather roots and the juicy mountain berries, and to fish for salmon in the rivers; at the onset of winter they concentrate once more in what are called 'towns'. It is then, during the period when they are gathered together in this way, that they live in a state of perpetual excitement. Social life becomes extremely intense, even more so than in the assemblies of tribes that can take place in the summer. There are constant visits from whole tribes to tribes, from clans to clans, and from families to families. There are repeated festivals, continuous and long drawn-out. At a wedding, or at various kinds of ritual or promotions, everything stored up with great industry during the summer and autumn on one of the richest coasts in the world is lavishly expended. This even occurs in domestic life. The people of one's clan are invited when a seal has been killed or when a case of berries or roots that have been preserved is opened up. Everyone is invited when a whale is washed up. From the moral viewpoint also, the civilization is remarkably uniform, although ranging from the regime of the phratry (Tlingit and Haïda) of maternal descent, to the clan of modified masculine descent of the Kwakiutl. The general features of social organization, and particularly totemism, are roughly the same in all the tribes. In the Banks Islands the tribes have 'brotherhoods', as in Melanesia, which are wrongly called secret societies and are often international, but in which male society, and certainly among the Kwakiutl, female society, cuts across the clan organization. Part of the gifts and total counter-services of which we shall speak are intended, as in

Melanesia,¹²⁶ to finance the ranks and successive 'ascensions' (promotions)¹²⁷ in these brotherhoods. The rituals, both of these brotherhoods and clans, follow one another at the marriage of chiefs, at 'copper sales', at initiations, at Shamon ceremonies, and at funeral ceremonies — the latter being more developed in Haïda and Tlingit lands. All are performed during a series of potlatches that are prolonged indefinitely. There are potlatches everywhere, in response to other potlatches. As in Melanesia it is a constant 'give and take'.

The potlatch itself, so typical a phenomenon, and at the same time so characteristic of these tribes, is none other than the system of gifts exchanged.¹²⁸ It differs from that in Melanesia only in the violence, exaggeration, and antagonisms that it arouses, and by a certain lack of juridical concepts, and a simpler and cruder structure. This is particularly true of the two northern peoples, the Tlingit and Haïda.¹²⁹ The collective nature of the contract¹³⁰ is more apparent than in Melanesia and Polynesia. All in all, these societies, in spite of appearances, are closer to what we term 'simple total services'. Consequently, the juridical and economic concepts possess less clarity and less conscious precision. However, in practice, the principles are positive and sufficiently clear-cut.

Nevertheless, two notions are much more in evidence than in the Melanesian potlatch or the more developed, or more fragmented, institutions existing in Polynesia. These are the notion of credit, of the time limit placed on it, and also the notion of honour.¹³¹

Gifts circulate, as we have seen in Melanesia and Polynesia, with the certainty that they will be reciprocated. Their 'surety' lies in the quality of the thing given, which is itself that surety. But in every possible form of society it is in the nature of a gift to impose an obligatory time limit. By their very definition, a meal shared in common, a distribution of kava, or a talisman that one takes away, cannot be reciprocated immediately. Time is needed

in order to perform any counter-service. The notion of a time limit is thus logically involved when there is question of returning visits, contracting marriages and alliances, establishing peace, attending games or regulated combats, celebrating alternative festivals, rendering ritual services of honour, or 'displaying reciprocal respect'¹³² – all the things that are exchanged at the same time as other things that become increasingly numerous and valuable, as these societies become richer.

Current economic and juridical history is largely mistaken in this matter. Imbued with modern ideas, it forms a priori ideas of development¹³³ and follows a so-called necessary logic. All in all, it rests on ancient traditions. There is nothing more dangerous than this 'unconscious sociology', as Simiand has termed it. For example Cuq still states:

In primitive societies only the barter regime is conceived of; in those more advanced, sales for cash are the practice. Sale on credit is characteristic of a higher phase in civilization. It first appears in an oblique form as a combination of cash sale and loans.¹³⁴

(Cuq 1910)

In fact, the point of departure lies elsewhere. It is provided in a category of rights that excludes the jurists and economists, who are not interested in it. This is the gift, a complex phenomenon, particularly in its most ancient form, that of 'total services', with which we do not deal in this monograph. Now, the gift necessarily entails the notion of credit. The evolution in economic law has not been from barter to sale, and from cash sale to credit sale. On the one hand, barter has arisen through a system of presents given and reciprocated according to a time limit. This was through a process of simplification, by reductions in periods of time formerly arbitrary. On the other hand, buying and selling arose in the same way, with the latter according to a fixed time

limit, or by cash, as well as by lending. For we have no evidence that any of the legal systems that have evolved beyond the phase we are describing (in particular, Babylonian law) remained ignorant of the credit process that is known in every archaic society that still survives today. This is another simple, realistic way of resolving the problem of the two 'moments in time' that are brought together in the contract, which Davy has already studied.¹³⁵

No less important in these transactions of the Indians is the role played by the notion of honour. Nowhere is the individual prestige of a chief and that of his clan so closely linked to what is spent and to the meticulous repayment with interest of gifts that have been accepted, so as to transform into persons having an obligation those that have placed you yourself under a similar obligation. Consumption and destruction of goods really go beyond all bounds. In certain kinds of potlatch one must expend all that one has, keeping nothing back.¹³⁶ It is a competition to see who is the richest and also the most madly extravagant. Everything is based upon the principles of antagonism and rivalry. The political status of individuals in the brotherhoods and clans, and ranks of all kinds, are gained in a 'war of property',¹³⁷ just as they are in real war, or through chance, inheritance, alliance, and marriage. Yet everything is conceived of as if it were a 'struggle of wealth'.¹³⁸ Marriages for one's children and places in the brotherhoods are only won during the potlatch, where exchange and reciprocity rule. They are lost in the potlatch as they are lost in war, by gambling¹³⁹ or in running and wrestling.¹⁴⁰ In a certain number of cases, it is not even a question of giving and returning gifts, but of destroying,¹⁴¹ so as not to give the slightest hint of desiring your gift to be reciprocated. Whole boxes of olachen (candlefish) oil or whale oil¹⁴² are burnt, as are houses and thousands of blankets. The most valuable copper objects are broken and thrown into the water, in order to put down and to 'flatten' one's rival.¹⁴³ In this way one

not only promotes oneself, but also one's family, up the social scale. It is therefore a system of law and economics in which considerable wealth is constantly being expended and transferred. If one so wishes, one may term these transfers acts of exchange or even of trade and sale.¹⁴⁴ Yet such trade is noble, replete with etiquette and generosity. At least, when it is carried on in another spirit, with a view to immediate gain, it becomes the object of very marked scorn.¹⁴⁵

As may be seen, the notion of honour, which expresses itself violently in Polynesia and is always present in Melanesia, is, in this case, really destructive. Again on this point, conventional wisdom misjudges the importance of the motives that have inspired men, and all we owe to the societies that have preceded us. Even such a perceptive scholar as Huvelin felt himself obliged to deduce the notion of honour, reputedly ineffective, from the notion of the efficacy of magic.¹⁴⁶ He sees in honour and prestige only a substitute for magic. The reality is more complex. The notion of honour is no more foreign to these civilizations than is the notion of magic.¹⁴⁷ The Polynesian word *mana* itself symbolizes not only the magical force in every creature, but also his honour, and one of the best translations of the word is 'authority', 'wealth'.¹⁴⁸ The Tlingit and Haïda potlatch consists of considering the mutual services rendered as acts of honour.¹⁴⁹ Even among really primitive tribes, such as those in Australia, the point of honour is as delicate as that in our own societies, and is satisfied through the offering of services and food, acts of precedence and rites, as well as through gifts.¹⁵⁰ Men had learnt how to pledge their honour and their name long before they knew how to sign the latter.

The North American potlatch has been well enough studied as regards everything concerning the form of the contract itself. However, we need to fit the study of it made by Davy and Leonhard Adam¹⁵¹ into the wider context in which it should be placed for the subject with which we are dealing. For the

potlatch is much more than a juridical phenomenon: it is one that we propose to call 'total'. It is religious, mythological, and Shamanist, since the chiefs who are involved represent and incarnate their ancestors and the gods, whose name they bear, whose dances they dance and whose spirits possess them.¹⁵² The potlatch is also an economic phenomenon, and we must gauge the value, the importance, the reasons for, and the effect of these transactions, enormous even today, when they are calculated in European values.¹⁵³ The potlatch is also a phenomenon of social structure: the gathering together of tribes, clans, and families, even of peoples, brings about a remarkable state of nerviness and excitement. One fraternizes, yet one remains a stranger; one communicates and opposes others in a gigantic act of trade and a constant tournament.¹⁵⁴ We pass over the aesthetic phenomena, which are extremely numerous. Finally, even from the juridical viewpoint, to what we have already gleaned regarding the form of these contracts and what might be termed their human purpose, as well as the juridical status of the contracting parties (clans, families, ranks, and betrothals,) we must add this: the material purposes of the contracts, the things exchanged in them, also possess a special intrinsic power, which causes them to be given and above all to be reciprocated.

It would have been useful – if we had enough space – to distinguish, for the purposes of our exposition, between four forms of the potlatch in the American Northwest: (1) a potlatch in which the phratries and the families of chiefs are exclusively, or almost exclusively involved (Tlingit); (2) a potlatch in which the phratries, clans, chiefs, and families play roughly an equal part; (3) a potlatch by clans in which chiefs confront one another (Tsimshian); (4) a potlatch of chiefs and brotherhoods (Kwakiutl). But it would take too long to proceed thus. Moreover, the differences between three of the four forms (the Tsimshian form is not dealt with) have been expounded by Davy.¹⁵⁵ Finally, as far as our study is concerned – that of the three themes

of the gift, the obligation to give, the obligation to receive and reciprocate – the four forms of the potlatch are comparatively identical.

The three obligations: to give, to receive, to reciprocate

The obligation to give is the essence of the potlatch. A chief must give potlatches for himself, his son, his son-in-law, or his daughter,¹⁵⁶ and for his dead.¹⁵⁷ He can only preserve his authority over his tribe and village, and even over his family, he can only maintain his rank among the chiefs¹⁵⁸ – both nationally and internationally – if he can prove he is haunted and favoured both by the spirits and by good fortune¹⁵⁹, that he is possessed, and also possesses it.¹⁶⁰ And he can only prove this good fortune by spending it and sharing it out, humiliating others by placing them 'in the shadow of his name'.¹⁶¹ Each Kwakiutl and Haïda noble has exactly the same idea of 'face' as has the Chinese man of letters or officer.¹⁶² It is said of one of the great mythical chiefs who gave no potlatch that he had a 'rotten face'.¹⁶³ Here the expression is even more exact than in China. For in the American Northwest, to lose one's prestige is indeed to lose one's soul. It is in fact the 'face' the dancing mask, the right to incarnate a spirit, to wear a coat of arms, a totem, it is really the persona – that are all called into question in this way, and that are lost at the potlatch,¹⁶⁴ at the game of gifts,¹⁶⁵ just as they can be lost in war,¹⁶⁶ or through a mistake in ritual.¹⁶⁷ In all such societies one hastens to give. There is not one, single, special moment, even apart from the winter solemnities and gatherings, when one is not obliged to invite one's friends, to share with them the windfall gains of the hunt or food gathering, which come from the gods and the totems.¹⁶⁸ There is not one single moment when you are not obliged to redistribute everything from a potlatch in which you have been the beneficiary,¹⁶⁹ or when you are not obliged to acknowledge by gifts some service or other,¹⁷⁰ whether

performed by chiefs,¹⁷¹ vassals, or relatives:¹⁷² all this under pain of violating etiquette – at least for nobles – and of losing rank.¹⁷³

The obligation to invite is clearly evident when imposed by clans on clans, or tribes on tribes. Indeed it only has meaning if it is offered to others outside the family, the clan, or the phratry.¹⁷⁴ It is essential to invite anyone who can,¹⁷⁵ or wishes to¹⁷⁶ come, or actually turns up¹⁷⁷ at the festival at the potlatch.¹⁷⁸ Failure to do so has fatal consequences.¹⁷⁹ An important Tsimshian myth¹⁸⁰ reveals the mentality in which this essential theme of European folklore also originated: that of the wicked fairy who was forgotten at a baptism or a marriage. The tissue of institutions from which the theme is woven is clearly apparent here. We see in what civilizations it functioned. A princess of one of the Tsimshian villages has conceived in the 'land of the otters' and miraculously gives birth to 'the Little Otter'. She returns with her child to the village where her father is the chief. Little Otter catches a large halibut on which his grandfather regales all his fellow chiefs, from all the tribes. He presents his grandson to everybody and enjoins them not to kill him if they come across him in his animal form while out fishing: 'Here is my grandson who has brought this food for you and which I have served to you, my guests.' In this way the grandfather grew rich with all kinds of goods given him when they came to his home to partake of the whales, seals, and fresh fish that Little Otter brought back during the winter famines. But they had forgotten to invite one chief. So, one day when the crew of a boat belonging to the neglected tribe met Little Otter out at sea, holding a large seal in his mouth, the Bowman in the boat killed him and took the seal from him. The grandfather and the other tribes searched for Little Otter until they became aware of what had happened to the forgotten tribe. The latter presented its excuses: it did not know who Little Otter was. His mother, the princess, died of grief. The chief who had been the unwitting culprit brought to the chief, the grandfather, all kinds of gifts to expiate his mistake. And the

myth concludes.¹⁸¹ 'This is why peoples mounted a great festival when the son of a chief was born and was given a name, so that no one should not know who he was.' The potlatch, the distribution of goods, is the basic act of 'recognition', military, juridical, economic, and religious in every sense of the word. One 'recognizes' the chief or his son and becomes 'grateful' to him.¹⁸²

The ritual followed in the Kwakiutl festivals¹⁸³ and those of other tribes in this group sometimes expresses this principle of obligatory invitation. It can happen that a part of the festival begins with the Ceremony of the Dogs. The latter are represented by masked men who leave one house and force an entrance into another. This commemorates the time when the people of the three other clans of the Kwakiutl tribe proper omitted to invite the most high-ranking clan among them, the Guetala.¹⁸⁴ The latter did not wish to remain 'profane' and, entering the house where dances were going on, destroyed everything.

The obligation to accept is no less constraining. One has no right to refuse a gift, or to refuse to attend the potlatch.¹⁸⁵ To act in this way is to show that one is afraid of having to reciprocate, to fear being 'flattened' [i.e. losing one's name] until one has reciprocated. In reality this is already to be 'flattened'. It is to 'lose the weight' attached to one's name.¹⁸⁶ It is either to admit oneself beaten in advance¹⁸⁷ or, on the contrary, in certain cases, to proclaim oneself the victor and invincible.¹⁸⁸ Indeed it seems, at least among the Kwakiutl, that an acknowledged position in the hierarchy, and victories in previous potlatches, allow one to refuse an invitation, or even, when present at a potlatch, to refuse a gift without war ensuing. Yet then the potlatch becomes obligatory for the one who has refused; in particular, he must make even richer the 'festival of fat' where this ritual of refusal can in fact be observed.¹⁸⁹ The chief who believes himself to be superior spurns the spoonful of fat presented to him; he goes to fetch his 'copper object' and returns with it in

order to 'put out the fire' (of the fat). There follows a succession of formalities that signify the challenge that binds the chief who has refused to give another potlatch, another 'festival of fat'.¹⁹⁰ But in principle every gift is always accepted and even praised.¹⁹¹ One must voice one's appreciation of the food that has been prepared for one.¹⁹² But, by accepting it one knows that one is committing oneself.¹⁹³ A gift is received 'with a burden attached'.¹⁹⁴ One does more than derive benefit from a thing or a festival: one has accepted a challenge, and has been able to do so because of being certain to be able to reciprocate,¹⁹⁵ to prove one is not unequal.¹⁹⁶ By confronting one another in this way chiefs can place themselves in a comic situation that is surely perceived as such. As in ancient Gaul or Germany, or at our own banquets for students, soldiers, and peasants, one is committed to gulping down large quantities of food, in order to 'do honour', in a somewhat grotesque way, to one's host. Even if one is only the heir of the person who has made the challenge,¹⁹⁷ it is taken up. To refrain from giving, just as to refrain from accepting,¹⁹⁸ is to lose rank - as is refraining from reciprocating.¹⁹⁹

The obligation to reciprocate²⁰⁰ constitutes the essence of the potlatch, in so far as it does not consist of pure destruction. These acts of destruction are very often sacrificial, and beneficial to the spirits. It would seem they need not all be reciprocated unconditionally, particularly when they are the work of a chief recognized in the clan as being superior, or that of a chief of a clan that has itself already been recognized as superior.²⁰¹ However, normally, the potlatch must be reciprocated with interest, as must indeed every gift. The rate of interest generally ranges from 30-100 per cent a year. Even if a subject receives a blanket from his chief for some service he has rendered, he will give two in return on the occasion of a marriage in the chief's family, or the enthronement of the chief's son, etc. It is true that the latter, in his turn, will give away all the goods that he obtains at future

potlatches, when the opposing clans will heap benefits upon him.

The obligation to reciprocate worthily is imperative.²⁰² One loses face for ever if one does not reciprocate, or if one does not carry out destruction of equivalent value.²⁰³

The punishment for failure to reciprocate is slavery for debt. At least, this functions among the Kwakiutl, the Haïda, and the Tsimshian. It is an institution really comparable in nature and function to the Roman *nexum*. The individual unable to repay the loan or reciprocate the potlatch loses his rank and even his status as a free man. Among the Kwakiutl, when an individual whose credit is poor borrows, he is said to 'sell a slave'. There is no need to point out the identical nature of this and the Roman expression.²⁰⁴

The Haïda²⁰⁵ even say – as if they had discovered the Latin expression independently – regarding a mother who gives a present to the mother of a young chief for a betrothal contracted as a minor, that she has: 'put a thread around him'.

But, just as the Trobriand *kula* is only an extreme case of the exchange of gifts, so the potlatch in societies living on the Northwest American coast is only a kind of monstrous product of the system of presents. At least in lands such as those of the Haïda and the Tlingit, where phratries exist, there still remain considerable traces of the onetime 'total services', which, moreover, are so characteristic of the Athapascans, the important group of related tribes. Presents are exchanged for any and every reason, for every 'service', and everything is given back later, or even at once, and is immediately given out again.²⁰⁶ The Tsimshian are not very far from having kept to the same rules.²⁰⁷ In numerous cases the rules even appertain apart from the potlatch, among the Kwakiutl.²⁰⁸ We shall not labour this point, which is self-evident. Older writers describe the potlatch no differently, so much so that one may wonder whether it constitutes a distinct institution.²⁰⁹ We recall that among the Chinook, one of the

least well-known tribes, but which might have been among the most important ones to study, the word potlatch signifies gift.²¹⁰

The force of things

One can push the analysis further and demonstrate that in the things exchanged during the potlatch, a power is present that forces gifts to be passed around, to be given, and returned.

First, at least among the Kwakiutl and Tsimshian, the same distinction is made between the various kinds of property as made by the Romans, the Trobriand peoples, and the Samoans. For these there exist, on the one hand, the objects of consumption and for common sharing²¹¹ (I have found no trace of exchanges). And on the other hand, there are the precious things belonging to the family,²¹² the various talismans, emblazoned copper objects, blankets made of skins, or cloth bedecked with emblems. This latter type of object is passed on as solemnly as women hand over at marriage the 'privileges' to their sons-in-law,²¹³ and names and ranks to children and sons-in-law. It is even incorrect to speak in their case of transfer. They are loans rather than sales or true abandonment of possession. Among the Kwakiutl a certain number of objects, although they appear at the potlatch, cannot be disposed of. In reality these pieces of 'property' are *sacra* that a family divests itself of only with great reluctance, and sometimes never.

More detailed observation among the Haïda will reveal the same distinctions between things. The latter have in fact even made the notion of property and fortune divine, as did the Ancients. Through a mythological and religious effort, fairly infrequent in America, they have raised themselves to a level where they have personified an abstraction. English writers refer to the 'Property Woman' about whom there are myths and of whom we have descriptions.²¹⁴ For the Haïda she is nothing less than the mother, the originating goddess of the dominant

phratry, that of the Eagles. Yet on the other hand – and this is a strange fact that awakens very distant recollections of the Asiatic and Ancient world – she seems identical to the ‘queen’,²¹⁵ the main protagonist in ‘the game of sticks’ (‘tip-it’), the one who wins everything and whose name she bears in part. This goddess is to be found in the Tlingit lands,²¹⁶ and the myth about her, if not the worship of her, among the Tsimshian²¹⁷ and the Kwakiutl.²¹⁸

The sum total of these precious things constitutes the magical dower; this is often identical for both donor and recipient, and also for the spirit who has provided the clan with these talismans, or the hero who is the originator of the clan and to whom the spirit has given them.²¹⁹ In any case all these things are always, and in every tribe, spiritual in origin and of a spiritual nature.²²⁰ Moreover, they are contained in a box, or rather in a large emblazoned case²²¹ that is itself endowed with a powerful personality,²²² that can talk, that clings to its owner, that holds his soul, etc.²²³

Each of these precious things, these signs of wealth possesses – as in the Trobriand Islands – its individuality, its name,²²⁴ its qualities, its power.²²⁵ The large abalone shells,²²⁶ the shields that are covered with these shells, the belts and blankets that are decorated with them, the blankets themselves²²⁷ that also bear emblems, covered with faces, eyes, and animal and human figures that are woven and embroidered on them – all are living beings. The houses, the beams, and the decorated walls²²⁸ are also beings. Everything speaks – the roof, the fire, the carvings, the paintings – for the magical house is built,²²⁹ not only by the chief or his people, or the people of the opposing phratry, but also by one’s gods and ancestors. It is the house that both accepts and rejects the spirits and the youthful initiates.

Each one of these precious things²³⁰ possesses, moreover, productive power itself.²³¹ It is not a mere sign and pledge; it is also a sign and a pledge of wealth, the magical and religious symbol of rank and plenty.²³² The dishes²³³ and spoons²³⁴ used solemnly

for eating, and decorated, carved, and emblazoned with the clan’s totem or the totem of rank, are animate things. They are replicas of the inexhaustible instruments, the creators of food, that the spirits gave to one’s ancestors. They are themselves deemed to have fairylike qualities. Thus things are mixed up with spirits, their originators, and eating instruments with food. The dishes of the Kwakiutl and the spoons of the Haïda are essential items that circulate according to very strict rules and are meticulously shared out among the clans and the families of the chiefs.²³⁵

The ‘money of fame’²³⁶

Yet above all it is the emblazoned copper objects²³⁷ that, as basic goods for the potlatch, are the focus of important beliefs and even of a cult.²³⁸ First, in every tribe there exists a cult and a myth regarding copper,²³⁹ which is regarded as a living thing. Copper, at least among the Haïda and the Kwakiutl, is identified with the salmon, which is itself the object of a cult.²⁴⁰ Yet, besides this element of metaphysical and technical mythology,²⁴¹ all these pieces of copper are, each one separately, the subject of individual and particular beliefs. Each important piece of copper in the families of the clan chiefs has its name,²⁴² its own individuality, its own value,²⁴³ in the full sense of the word – magical, economic, permanent, and perpetual – despite the vicissitudes of the potlatch through which they pass, and even beyond the partial or complete acts of destruction they suffer.²⁴⁴

Moreover, they have a power of attraction that is felt by other copper objects, just as wealth attracts wealth, or dignities bring honours in their train, as well as the possession of spirits and fruitful alliances,²⁴⁵ – and vice versa. They are alive and move autonomously,²⁴⁶ and inspire other copper objects to do so.²⁴⁷ One of them²⁴⁸ is called among the Kwakiutl ‘the attracter of copper objects’, and the story depicts how the copper objects

group around it. At the same time the name of its owner is 'property that flows towards me'. Another frequent name for copper objects is: 'the bringer of property'. Among the Haïda and the Tlingit the copper objects form a 'strongpoint' around the princess who brings them;²⁴⁹ elsewhere the chief who has them in his possession²⁵⁰ is rendered invincible. They are 'the flat, divine things'²⁵¹ of the household. Often the myth identifies them all, the spirits that have given the copper objects,²⁵² their owners, and the copper objects themselves.²⁵³ It is impossible to distinguish what makes the strength of spirit in the one and wealth in the other: the copper object speaks, and grumbles.²⁵⁴ It demands to be given away, to be destroyed; it is covered with blankets to keep it warm, just as the chief is buried under the blankets that he is to share out.²⁵⁵

Yet, on the other hand, at the same time as goods, it is wealth²⁵⁶ and good luck that are passed on. It is the initiate's spirit, it is his attendant spirits, that give the initiate possession of copper objects, of talismans that themselves are the means of acquiring other things: other copper objects, wealth, rank, and finally spirits, all things that, moreover, are of equivalent value. All in all, when one considers both the copper objects and the other permanent forms of wealth that are likewise an object of hoarding and of alternating potlatches, masks, talismans, etc. — all are mingled together as regards use and effect.²⁵⁷ Through them one obtains rank; it is because one obtains wealth that one obtains a spirit. The latter, in its turn, takes possession of the hero who has overcome all obstacles. Then again, this hero has his Shaman trances, his ritual dances, and the services of his government [sic] paid for him. Everything holds together, everything is mixed up together. Things possess a personality, and the personalities are in some way the permanent things of the clan. Titles, talismans, copper objects, and the spirits of the chiefs are both homonyms and synonyms²⁵⁸ of the same nature and performing the same function. The circulation of goods follows that

of men, women, and children, of feasts, rituals, ceremonies, and dances, and even that of jokes and insults. All in all, it is one and the same. If one gives things and returns them, it is because one is giving and returning 'respects' — we still say 'courtesies'. Yet it is also because by giving one is giving oneself, and if one gives oneself, it is because one 'owes' oneself — one's person and one's goods — to others.

First conclusion

Thus, in four important population groups we have discovered the following: first, in two or three groups, the potlatch; then the main reason for, and the normal form of the potlatch itself; and what is more, beyond the potlatch, and in all these groups, the archaic form of exchange — that of gifts presented and reciprocated. Moreover, we have identified the circulation of things in these societies with the circulation of rights and persons. We could, if we wanted, stop there. The number, extent, and importance of these facts justifies fully our conception of a regime that must have been shared by a very large part of humanity during a very long transitional phase, one that, moreover, still subsists among the peoples we have described. These phenomena allow us to think that this principle of the exchange-gift must have been that of societies that have gone beyond the phase of 'total services' (from clan to clan, and from family to family) but have not yet reached that of purely individual contract, of the market where money circulates, of sale proper, and above all of the notion of price reckoned in coinage weighed and stamped with its value.