



The Other Side of the Gift: Soliciting in Java

A Discussion

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With commentaries from Carla Jones, Daromir Rudnycky and Guido Sprenger

Keywords: gift, Derrida, solicitation, zakat, Mauss, Java, Indonesia.

Abstract: This paper inquires into some of the hidden dimensions of anthropological thought about the gift and giving, making the case for a new approach to value transfers. Such an approach is delineated through critical engagement with both Mauss's original work on the subject and the work of other scholars, in particular Strathern's new Melanesian ethnography and Derrida's deconstructive readings. In addition, by means of drawing upon ethnographic research on Muslim practices in Java, Indonesia, the paper highlights the importance of soliciting as an alternative concept for thinking about value transfers, stressing, in particular, the significance of activities of taking for a new and different perspective on the complexities that permeate the social.

Everything we see hides another thing, we always want to see what is hidden by what we see. There is an interest in that which is hidden and which the visible does not show us. This interest can take the form of a quite intense feeling, a sort of conflict, one might say, between the visible that is hidden and the visible that is present.

– René Magritte commenting on *The Son of Man* 1964

Of the dramas played out during Ramadan in Java, the excitations the sight of 'beggars' evokes among the good people of the middle class are unmistakable. For every year it is the unflinching concern of the media – as well as many an overheard conversation in buses, offices and shopping malls – that the major cities of the island, and Jakarta especially, are repeatedly 'swamped' by tens of thousands of allegedly 'professional beggars' (*pengemis profesional*). The concerns expressed are multiple. Most often, though, they have to do with the 'beggars' being out-of-towners, basically peasants from the

surrounding countryside, who, having made a habit of pretending to be 'destitute and poor' (*fakir miskin*) are managing to make more than a decent living from the proceeds of good people's generosity. Not only are such people lazy and indolent, knowing nothing of the value of work, the accusations go, but they are essentially cunning and deceitful—defrauding honest people, and depriving them not only of their money, but also of the prospect of doing good in a meaningful way, that is in a way that makes a difference to worthy recipients. Given the level of public anxiety, the good people of urban centres are evidently protected by the authorities in many a city, where 'begging' has been turned into a crime. In addition, they are repeatedly warned to avoid giving, that is *giving in* to the fake pleas for help and mercy of street-roaming strangers.

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The solicitation of goodness during Ramadan takes other forms as well, some of which have come under the scrutiny of the authorities, including the religious authorities. An incident which marked public perceptions inexorably took place in 2008 in the coastal city of Pasuruan, in East Java, where during the Ramadan month of that year several people, all of whom were women, died in a stampede. Their deaths were linked to the public distribution of *zakat*, the Islamic obligatory wealth transfer, carried out by Haji Syaichon Fikri, a wealthy trader of bird nests, leather products and cars. In provincial Java it is customary for large crowds of destitute and impoverished people from the immediate locality and its environs to form outside the residences of wealthy individuals, normally upon receiving notice that *zakat* distribution is to be carried out on specific dates. Fatefully, in September 2008, the ‘mass’ (*massa*) that had gathered outside Fikri’s house made a mad dash for the money, resulting in 21 women dying in the ensuing pandemonium, having been trampled by an out-of-control crowd. According to press reports, the ‘mass’ had grown impatient after having waited for hours on end for the distribution of money to begin. At the same time, the lack of adequate supervision by the family – which had not notified the police – was also emphasised as having played a role in the deaths. In the aftermath of this *tragedi*, the Indonesian Council of Islamic Scholars (*Majelis Ulama Indonesia*) issued a *fatwa*, an edict that declared this method of *zakat* distribution as unlawful (*haram*) and called for *zakat* transfers to proceed in an orderly, well-supervised, and controlled manner so as to avoid further loss of human life.

Ethnographic vignettes such as this make aptly clear that giving as well as receiving are

activities conducted in a socially approved and politically sanctioned manner. Because of this, givers as well as recipients have to be trained in the acquisition of appropriate manners, and should expect to have their performances evaluated according to standards of behaviour that are historically and culturally specific. It may be apparent that it is Foucault (2008), and the arts of governmentality, that I am channelling here; but it is not the *conducting of the conduct* of the gift-giver or of the gift-receiver that I want to address. Rather it is the *conducting of the conduct* of anthropological description I want to focus on, to argue that our quandaries and difficulties with the gift as an analytical category¹ could be examined anew and repositioned with a change of perspective, which is also a change in knowing. To this end, I embark upon a deconstructive engagement with Mauss’s text (2011), together with a few subsequent and significant re-assessments of the gift as performed in key anthropological texts. The purpose of this exercise is to pick out some of the elements, or dimensions, relating to value transfers that Mauss’ study and subsequent analyses have excluded, or omitted, from their considerations. Then, I will go on to take a closer look at Derrida’s (1991) own critical engagement with Mauss’ study in order to recalibrate and renew the political and analytical potential of deconstruction for the understanding and enactment of the social.²

The Gift and the Given

The impression Mauss’ study on the gift (2011) has made in anthropology is massive, and deservedly so, for no other text has unearthed more archaeological treasures, so to speak, with every new excavation that has taken place. And even if Lévi-Strauss’ (1987) reading of the gift as

¹ One of the most intriguing difficulties is the distinction between gifts and commodities. In 1982, Gregory argued for the formalisation of the distinction along the lines of a sharply drawn dualism; however in 1997, he revised his previous position arguing instead for their contemporaneous existence in most societies. Similarly, Miller (2001) and Addo & Besnier (2008) show commodification to be an incomplete and on-going project in which processes of becoming-commodity take place alongside countervailing operations of becoming-gift.

² Efforts at theorising the social have continued undiminished since Mauss’ original study of the gift. Not only were subsequent engagements with gift-giving geared, either explicitly or implicitly, to such ends, but more recently a diverse range of perspectives – ranging from globalisation and practise theory to discourse and actor-network theory – has furnished alternative, often contradictory, understandings of the basic co-ordinates and significance of this condition of intense inter-involvement. My own take on the social is very much indebted to the philosophy of Deleuze, as explored more fully in a separate monograph (Retsikas 2012). Here it might appear that I am taking a different route; however I do approach Derrida as a disciple of Nietzsche (2003) more than anyone else, Heidegger included.



Photo: Zakat claimants queuing.

reciprocity, together with Sahlins' (1974) elaborations on it, have exercised an enduring influence in the discipline, subsequent critical engagements by Bourdieu (1977), Parry (1986), Strathern (1988), Raheja (1988), Weiner (1992), Godelier (1999) and Laidlaw (2000) have carried our lasting fascination with 'The Gift' to new heights. This is despite the fact that there is now a mounting disagreement amongst commentators about what Mauss truly said, meant to say, and actually wrote. Such excitement is partly related to the way Mauss' short study is organised, discussing complex ethnographic and historical materials in a distinctly cursory and preliminary manner, while speculating on an evolutionary path covering thousands of years. At the same time, anthropological debates around 'The Gift' have also been linked to the book's political objectives insofar as Mauss offered the gift as a point of contrast to commodity production, conceiving it as essential to a socialist time-to-come (Mauss 2001: 63-81). It is perhaps because of such qualities that anthropological fervour over the study's significance endures,

and the potential for novel readings remains undiminished.

Having recently re-read 'The Gift', I have to admit that it was not the contractual character of gift-exchange that attracted my attention. While there can be no doubt that reciprocity, with its attendant obligations, is firmly rooted in the basic contours of the text, I was left cold by its promises, and by its presentation of an all-too-rosy picture of social relationships, which was neither ethnographically persuasive, nor effective in conveying their complexity and ambiguity.³ Leaving aside the undeniable romanticism animating his project, I was also struck by the realisation that the all-important distinction Mauss sets up between gifts and commodities is compelling only on condition that we set aside the fact that they are both instances of exchange and thus, require legal sanction to be operable. In other words, both gifts and commodities presuppose the organisation of the social in terms of contracts that, in turn, necessitate the invention and application of Law. In this sense, the social cannot be said to derive from gift exchange, for

³ Such ambiguities are perhaps best conveyed in Raheja's (1988) North Indian study in which gifts (*dān*) are held to transmit inauspiciousness and misfortune around, and thus instead of being warmly welcomed, are rather reluctantly accepted.

the gift is itself dependent on practices of promising and punishing.⁴ What is more, the further I delved into the text, the more wary I became of Mauss' perspective—which inadvertently and consistently privileges the act of giving, and the side of the giver, even as this position is duly acknowledged as reversible and interchangeable. Specifically, the three obligations Mauss identifies as essential are arranged in an exact temporal sequence that begins with giving, which is followed by receiving, and culminates in repaying (2011: 37-41). Here giving supersedes in importance both receiving and returning; the main function of the latter two is to supplement giving in such a way that the circle is closed, and the contract honoured. Furthermore, the analytical primacy accorded to giving is attributed with moral valence by Mauss, who treats giving as synonymous with upright conduct, prescribing the Maori proverb 'give as much as you receive and all is for the best' to his contemporaries as a guide for realising true socialist ethics (2011:69).

This notwithstanding, I found myself engrossed by a series of observations Mauss makes about the Melanesian *kula*, which correspond to what is virtually hidden as much in the overall visibility organising 'The Gift' as in subsequent anthropological debates concerning reciprocity. In Mauss's text, such observations are mostly ethnographic and have to do with the spells the would-be gift-receiver performs in advance of his/her encounter with the would-be gift-giver. Some of the theoretical issues the spells speak have been taken up by Beidelman (1989), Weiner (1992) and Graeber (2001), who in their own particular ways highlight the agonistic and competitive nature of gift-exchanges, and the dilemmas, deception, cunning and even coercion that pervade the conduct of such games when status distinctions and social hierarchies become increasingly entangled with them. Taking my cue from such studies, I too proceed to recast the so-called gift-

receiver from a *passive* into an *active* figure; however I also venture further afield by explicitly considering the gift from the vantage of soliciting, itself a desire-driven activity, which almost amounts to stealing, and yet manages successfully to sidestep the law and morality, and their negative consequences. The account I offer here stems in the first instance from a fuller recognition of the actor, who by a variety of means draws out, elicits or solicits a gift. The importance of soliciting is that it anticipates a partnership, and thereby creates the position of the donor, as well as pre-figuring the act of giving itself. In affirming the other side of the gift, and the work accomplished by the soliciting agent, I moreover endeavour to describe a mode of violence that precedes the moral, the legal and the contractual. Such a force I argue amounts to the indispensable ground on which the social is constituted.⁵

Let us return to Mauss' observations, briefly. Drawing on Malinowski's (1922) equally classic study of the Trobrianders, Mauss talks about a magic formula called the 'spell of the conch-shell' (2011: 23-24). Such a formula is extensively used for invoking *kula* valuables and is meant to charm and attract – towards the would-be donor – the very 'objects' the person who casts the spell intends to ask and receive from him. At the same time, the spell is also conceived of as having the supplementary efficacy of bringing such a state of excitement to the mind of the donor-to-be, causing him to be extremely open-handed and generous. Otherwise, it might occur to him to keep the 'objects' gathered for himself. The end of the spell is especially revealing for the tone of *kula* relationships: 'I shall *kula*, I shall rob my *kula* [partner]; I shall steal my *kula* [partner]; I shall pilfer my *kula*... My fame is like thunder, my steps are like earthquake' (2011: 95). A series of similar spells, Mauss continues, express the same idea, casting the would-be donor as a crocodile and a bird of prey working for the benefit of his

⁴ This was the thrust of Lévi-Strauss's (1969) argument: in making the incest taboo the starting point of culture, Lévi-Strauss recognised that the law, i.e. prohibition, anticipates exchange and the social the latter brings forth.

⁵ Despite highlighting the tensions and dynamics of agonistic exchange, neither Weiner (1992) nor Beidelman (1989) describe things from the perspective of the would-be gift-receiver. Quite the contrary is true, especially for Weiner, whose keeping-while-giving paradox remains encased within a logic of accumulation that is difficult to disassociate from similar tendencies arising within commodity production. Graeber's (2001, 2011) studies remain closest to Mauss' aims and are similarly motivated by a commitment to socialist ethics or what he calls 'individualistic communism' [sic] (2001: 159). The emphasis is here, once again, on the free and moral individual who gives generously.

partner – i.e. the would-be receiver – by collecting and bringing him the very things the latter desires so strongly.

The solicitation of the gift, particularly of the violent or extractive type, is not limited to Melanesia; and Mauss makes no secret that the potlatch of the North West American coast is especially animated by rivalry and antagonism as well as by excess, theatricality and the destruction, rather than the preservation, of value. Thus amongst the Tligit and the Haida of Alaska, he argues, ‘the only way to demonstrate one’s fortune is by expending it to the humiliation of others, by putting them in the shadow of one’s name’ (2011: 37-38). In the same vein, Mauss continues noting that to take part in a potlatch is to accept a challenge, for failure to make a return is ‘enslavement for debt’, as in these societies, ‘face is lost for ever if a worthy return is not made or if equivalent value is not destroyed’ (2011: 41). With ethnographic observations such as these, one is left wondering why Mauss so readily associates the gift with morality and goodness, espousing so eagerly a purportedly alternative economy of values that is based on ‘the joy of giving in public, the delight in artistic expenditure, the pleasure of hospitality in the public or private feast’ (2011: 67), and why he recommends with such excitement social insurance, mutual funds and the co-operative movement as the future return of the ancient institutions of the gift? In succumbing to these temptations Mauss is surely not alone; an expansive body of anthropological work on the gift, reciprocity and charity is similarly pervaded by moral concerns and quests.⁶ And yet one cannot escape wondering what the anthropology of the gift would be like if it had not been written from the perspective

of a morally charged giving, but rather from the perspective of an amoral soliciting? What if, in other words, the gift was no longer to be conceived as an adjunct to giving but as the accomplishment of soliciting? What if we were to apprehend giving as a secondary operation, and, instead of seeing it as productive of the gift, described it as the by-product of taking?

We have to be precise here; soliciting creates value by means of drawing out wealth. As such it involves a taking as its appendage. However the taking involved is not the same as stealing; it is also entirely independent from borrowing and totally alien to accepting, especially insofar as the latter entails gratitude, indebtedness and self-effacement. There is simply a *taking* that follows *soliciting* – coming after it – in the place of stealing, borrowing or receiving. The present article is an attempt to think about the conditions of possibility of taking, itself referring both to activities that can be described ethnographically and with reference to a theoretical stance. As an anthropology of *taking*, it aims to deal ethnographically with the ways in which transfers of wealth and value are accomplished through acts of soliciting, which at once avoid succumbing to the logic of the state and evade capture by the apparatus of morality. As a theoretical stance, it calls for due recognition of the application of force necessary in *seeing transfers through*, affirming rather than negating the violence involved. This affirmation is directly contingent on the violence in question, coming from outside the law and morality, located beyond the space of the state, and on the far shores of the self-styled righteous. As the very force that generates the social, this violence is neither assumed nor achieved; it is neither legitimate nor illegitimate; moreover, it is

⁶ Such attitude is perhaps nowhere more apparent than in the moral economy approaches of Geertz (1963) and Scott (1976), both working on Southeast Asia, with Java looming large. Such approaches have been rightly critiqued by many for their ideological basis, as they adopt a particular folk model about the ideal shape of social relations, one based on harmony, solidarity and mutual aid, while redeploying it in the guise of sociological account. This selective adoption is conducted on the grounds of a convergence between the analyst’s bourgeois ethics of a good life and certain peasant models of value. In the end, the treatment of the gift as reciprocity remains wholly subordinate to moral standards uncritically presumed as universal. Here, the moral itself, its conditions of possibility, along with its particular effects, escape critical scrutiny. Contrary to such approaches, my effort is to highlight soliciting as a practice unburdened by moral questions, precisely because it comes before the gift, amounting to the latter’s cause and ground. As such, soliciting serves values other than liberal ones. To achieve this effect I, too, ally myself with certain indigenous values as practiced in everyday life, and use them as the springboard for a more abstract discussion on the forces permeating the social.

neither moral nor immoral—and this because it is wholly coterminous with *vios* (life) and play; it simply is.⁷ To better apprehend the issues at hand, an excursion into Derrida's critique of the Maussian gift is required.

'One More Time, Staccato!'

To a certain extent soliciting is closely related to the concept of elicitation Strathern (1988) deployed in her ground-breaking work on Melanesia. Undeniably inspired by Mauss, Strathern advances her own 'aesthetics' of social relations in the region, and proposes that they are based on particular modalities of making things known through exchanging valuables and engaging in displays. Strathern takes gift exchange to correspond to 'moments of bursting forth' whereby a particular aspect of a thing or a person is temporarily revealed by means of elicitation. Such 'revelations', her argument continues, require 'an external audience or partner who, having elicited it, is also the coercive cause of the act' (1988:297). This partner is of course none other than the donee(s), who, displaying his/her agency, proceeds to draw out the gift, making it part of him- or herself.

Elsewhere I have myself taken advantage of Strathern's approach to portray neighbourhood exchanges in Java (Retsikas 2012). More recently I have however grown wary of elicitation, and this is so for a number of reasons. For one thing, the concept carries echoes of the Socratic Method, the famous *maieutics* deployed in the search for the true and the good – things often taken as identical. Elicitation might not be strong enough to break with this tradition. Furthermore it shies away from coming to full terms with the violence inhabiting its organization and deployment, and in its close association with performances and displays it is too enmeshed with public acts. The emphasis on display comes at the expense of more covert, secret and stealthy ways of acting, and of their particular aesthetic and effect.

I have therefore come to prefer, and now wish to propose, the concept of solicitation. Soliciting comes from the vocabulary of Derrida

(1978), who deploys it as a synonym for deconstruction. Solicitation denotes the shaking of a totality; linguistically, it is composed from *sollus*, which in Latin denotes 'the whole', and from *citare*, meaning 'to put in motion'. For Derrida, solicitation is threatening to any philosophy or morality, for it entails the possibility of illuminating not only its basic supports and overall architecture, but also that very secret place which any philosophy or morality must hide in order to remain a philosophy or morality. As such it bears the potential of allowing us to see that very part or quality which must be suppressed and excluded in order to constitute meaning, truth and the good. Deconstruction is therefore both a philosophical method and a political exercise, for it strives to unhinge our values and draw a line of flight for us to follow.

This is how Derrida's translator, Alan Bass, defines solicitation in his introduction to the English edition of *Writing and Difference* (1978):

Every totality, [Derrida] shows, can be *totally shaken*, that is can be shown to be founded on that which it excludes, that which would be in *excess* for a reductive analysis of any kind. [...] This etymological metaphor covering a philosophical-political violence is also implied in the notion of *archia* [...]. *Archia* derives from the Greek *archē*, which combines the senses of a founding, original principle and of government by one controlling principle [...]. Philosophy is founded on the principle of the *archia*, on regulation by true, original principles; the deconstruction of philosophy reveals the differential excess which makes the *archia* possible. (1978: xviii)

Derrida's aim is to open things up once again so that we can experience them anew. Part of his strategy is to induce such an intense feeling of aporia and wonder to his readers that a new beginning in philosophy is launched. For this to happen, Derrida dwells on impasses in thought, and ponders over logical impossibilities. By forcibly 'shaking' Western metaphysics, he strives to arrive at a place where the formal rules of logic no longer apply, showing all the while how the 'traditional' conception of phenomena in exclusive terms – that is, as either this or that – is reductionist and founded on exclusions. In place of a meta-

⁷ Agamben (2005), reflecting on Benjamin, reiterates a crucial distinction: mythico-judicial violence is always a means to an end and thus susceptible to legal reasoning; in contrast, 'pure violence' is free from such determinations for it precedes the law and reason, and is as innocent as children's play.

physics, then, which approaches truth as contingent on *a priori* essences and fixed origins, Derrida favours difference, defining phenomena ‘inclusively’ – that is, as *both* this *and* that – and as always unfolding, shifting, and changing. These tactics permit Derrida to un-bound and release the excess that traditional metaphysics has captured and repressed, thus allowing thinking to begin anew.

As is well known, Derrida (1991) has himself solicited Mauss’ study and found the repressed element to correspond to what is normally construed as the ‘free’, ‘pure’, ‘selfless’ or ‘disinterested’ gift.⁸ According to Derrida, the ‘pure’ gift remains an impossibility in Mauss’ study, for the gift is always conceived as being caught up in the circle of reciprocity. By following a regular movement in time and space as set out in the three obligations, the gift as a spontaneous, ‘pre-objective’, and un-reflexive gesture towards the other is negated, for it is duly domesticated by the dictates of exchange. ‘If the gift is annulled in the economic odyssey of the circle as soon as it appears *as* gift or as soon as it signifies *itself as* gift, there is no longer any ‘logic of the gift’, and one may safely say that a consistent discourse on the gift becomes impossible: It misses its object and always speaks, finally, of something else’ (1992: 24)— i.e. reciprocity, exchange, contract, debt, sacrifice, the economy, etc.

Reacting to the negation of the gift, Derrida formulates two essential conditions for it to be re-thought: **(a)** that giving must be conceived independently of involving, demanding or anticipating a return; and **(b)** that for (a) to be possible, both the donee and the donor must not recognise themselves as such. For, the moment such recognition occurs, the gift and the relation to the other it privileges – a relation unburdened by contract, obligation, debt and hierarchy – ceases to exist. On the positive side, Derrida invites one to reconceptualise the gift as contingent on forgetting – the forgetting of the passing of the gift, and the forgetting of that forgetting – arguing that what this double forgetting evinces is something other than a

sociological category, a theological name or a philosophical identity. The French philosopher wisely refrains from specifying what this ‘something other’ might be; instead he employs most general and cryptic terms, writing that it has to do with ‘a set of traits defining a given situation in which something, or ‘that’ [*ça*] is established (as in expressions ‘the human condition’, ‘the social condition,’ and so forth)’ (1992: 17).

There is no question that what Derrida is after here is the elaboration of an ethics for living and analysing. Such an ethics he strives to ground on the aporias generated by the gift, for a genuine gift is actually possible only when it is not understood as such. For Derrida, thinking of the gift in these terms is extremely important. It indicates an opening towards realising an immediate relation to the Other that affirms rather than negates his/her alterity. The French philosopher poses this relation as contingent on the ‘pure’ gift and its double forgetting. What this forgetting ensures is the Other’s ontological primacy and political autonomy. In other words, forgetting acts to mitigate the violence that the passing of the gift effects on the other in terms of the ever-present possibility of construing him/her, even momentarily, as a recipient in need and/or beneficiary of one’s largesse. The problem Derrida identifies with reciprocity is principally that it places the other into (temporary) debt, making him/her politically inferior and ontologically secondary to, even derivative of, the self. It is precisely this degradation, arising in the play of the social, that Derrida cautions against. So much is readily apparent in the way Derrida reads ‘Counterfeit Money’, where he implicitly counter-poses Baudelaire’s story to Mauss’ study, but also in the way he has elsewhere talked about ghosts and justice (1994), and hospitality (2000).

A question inescapably arises: has Derrida gone far enough in soliciting the hidden presuppositions, and in freeing the potential of the element(s) otherwise suppressed? Has he provided an alternative way to conceiving the

⁸ For an anthropological critique of Derrida, see Laidlaw 2000. My own position is that Laidlaw has misunderstood Derrida’s wider philosophical project and aims. Moreover Laidlaw’s Jain material does not convincingly demonstrate the existence of pure gift in India; because Jain renunciators do bestow their blessing, however inaudible or muffled it is, on those presenting them with food, Laidlaw unwittingly confirms Derrida’s position regarding the impossibility of the so-called ‘pure’ gift.

other and the 'social condition'? I would argue that there is still more that needs to be done in our rethinking of the gift, and in our affirmation of the other. The problem is mainly this: the ethics Derrida espouses still pertain to the perspective of the donor, as it is the donor whom Derrida sees as ultimately responsible for the *forgetting* to take effect. The more successful the donor is in his struggle against the work of memory, the more the violence he/she exercises on the other stands to be allayed and inhibited from breaking out. Derrida therefore evokes a self-disciplining and self-effacing subject, who values the aesthetics of humility and modesty, and is in total control of bodily and mental functions. It is precisely because of such evocations that Derrida's analytics fall back into the trap of reproducing the very asymmetries they endeavour to banish. In other words, the distinction is still on the side of the donor. For it is still the donor who, in instantaneously forgetting the gift, displays an undeniable superiority, itself stemming from his/her intention to save the donee from indebtedness and obligation. The theological-philosophical metaphysics Derrida so thoroughly derides somehow manages to sneak back in. The quest therefore must begin anew: Is there another way for personal responsibility to be conceived? Is there a different manner for the other to become manifest and for an alternative mode of violence to come into play? I would like to think so, and will suggest that the answer to these questions hinges on describing the event of the social from the perspective of taking. The taking in question involves secrecy and stealth, and it welcomes the exercise of a soliciting force with this secrecy, with this invitation acting as the main channel for affirming the primacy of the Other. A return to ethnography and Java will show us precisely how, despite the problems already identified, we can critically reassert deconstruction, and creatively redeploy and renew Derrida's analytical emphases and political priorities.

Vanishings

When a relatively new and expensive laptop computer disappeared from the house of Haji Kamil in a well-off neighbourhood in central Surabaya, the haji suspected foul play. Although he was not 100% sure, he put the blame on his security staff and, in particular, on a young man

he had dismissed the previous week for being lazy and absent-minded. The young man who had barely been at the job for three months had contacts in the city's underworld, the haji asserted, a claim few people in Indonesia would find implausible. However the haji refrained from contacting the police about the theft. This could have been either because of fear of reprisals from the alleged thief's friends in the criminal underworld, or because of perceptions of the police as reluctant to intervene where there are no additional incentives on offer. And so the matter of the laptop's disappearance was quickly forgotten, never mentioned again either by the haji or his family.

A couple of months after the incident, a quite different version of events came to my attention. According to this version, the disappearance of the laptop was not down to theft. The bearer of news was a street food vendor who owned a stall selling chicken soup outside a mosque located a few hundred meters from the haji's house. He too had heard of the disappearance (*hilang*) of the laptop, but he put it down to *zakat*, the Islamic tithe. According to the vendor, the haji was notorious all over Surabaya for his extravagant life-style, numerous and luxurious houses, and his taste for sports cars. Additionally he was known to have recently taken as a second wife a very beautiful and relatively young *dangdut* (a popular music genre) singer. Though the haji owned a large transport company sending off goods to distant ports in Eastern Indonesia, as well as abroad, the vendor claimed that he had gained most of his wealth from lending money on interest. This is a most contentious practice that the majority of Muslim jurists classify as unlawful (*haram*), and of which many Javanese strongly disapprove, due its predatory and exploitative connotations, especially when it involves the poor and marginalised. Perhaps to reinforce his point, the vendor portrayed the haji as mean, stingy and indifferent to the goings-on of the neighbourhood, adding that he was known to be negligent in his observance of *zakat*. He further noted that, in addition to being the duty of well-off believers, which is owed to God, *zakat* was also the right of the destitute and the poor (*hak fakir miskin*).

The street vendor's comment about *zakat* being a right is particularly significant as far as solicitation is concerned. For one thing, the

vendor's comment echoes normative jurisprudential conceptualisations of *zakat* as an entitlement (*hak*) pertaining to eight categories of persons, all of which are listed in the Quran.⁹ Amongst them, the most important are the destitute and the poor (*fakir miskin*). Furthermore, the vendor's remarks also resonate with another set of views that conceive of wealth, its proliferation and/or disappearance as intimately connected with *zakat* via the intervention of Allah. Somewhat simplified, such views run as follows: if a well-off Muslim pays *zakat* as required, one's wealth, affluence, well-being, business etc. will be protected and multiplied by Allah; for Allah rewards handsomely those who follow His commandments. However, if a duty-bound Muslim refrains from performing *zakat* worship, his possessions will be destroyed, vanish and/or go missing; for Allah duly punishes those who disobey him.¹⁰ In this regard, the implications of the vendor's comment – *viz.* that the disappearance of the laptop was related to *zakat* – could not have been clearer. There was no theft involved at all; the disappearance of the laptop was the result of the exercise of a right (*hak*); the laptop's rightful owner was not the haji but the person entitled to the haji's *zakat*. A person probably belonging to the category of the 'destitute and poor' had taken the laptop in place of the *zakat* that the haji had failed to observe—that is, as his outstanding *zakat*. Somewhat differently put, and allowing for the divine to come into the picture more fully, the vendor's comments could be taken to highlight the following: the laptop had been removed by Allah as retribution for the haji's laxity in performing *zakat*. Such removal was a stark reminder that he should correct his ways if he did not wish to see his fortunes reversed.

Subsequently, the laptop had been allocated to another person; such a person probably belonged to the poor and destitute category. For, according to scripture, the latter count amongst the rightful owners of *zakat*.

Concerns over ownership and the enforcement of property rights, and obligations, are central to this episode of urban life; so too are imperatives for justice and the requirement for stealth and secrecy in its attainment. In exploring such issues, we might begin by noting that the discourse on *zakat* as currently promoted in Indonesia and elsewhere, both by activists and scholars, construes *zakat* primarily as an obligation to Allah, and thus as equivalent to a tax levied once a year on certain types of property (al-Qardawi 2000; Benthall 1999; Mas'udi 2005). Alternatively *zakat* may be construed as alms, and thus as equivalent to a philanthropic activity performed by the affluent (Bamualim 2006; Latief 2014; Salim 2008; Singer 2008). These two conceptualisations are intimately connected, for the carrying out of *zakat* as a duty involves the subsequent transfer of the wealth involved to the poor and the needy in the manner of a gift. However, as I discuss in greater detail elsewhere (Retsikas 2014), the alternative position of *zakat* as an entitlement pertaining to specific categories of persons signifies a 'minor' position in the literature, which is largely unelaborated and inadequately attended to. This 'minor' position is nevertheless acknowledged in the writings of such luminaries as Sayyid Qutb, the famous intellectual and leading member of the Muslim Brotherhood in Egypt in the 1950s and 1960s, who notes in passing that *zakat* 'is as much the right of those who receive it as it is the duty of those who pay it' (2000: 164). For Qutb, *zakat* is

⁹ These are mentioned in surat At-Taubat, verse 60; they are the destitute, the poor, the *zakat* collectors, new converts, slaves, debtors, those advancing God's cause, and the wayfarers.

¹⁰ In her monograph on the demise of the once affluent *batik* trading families of Solo, Central Java, Suzanne Brenner briefly relates that according to popular imagination, the non-transfer of *zakat* by such wealthy individuals was causally related to their experience of ill fortune. In this regard, she writes that 'there was broad speculation as to what had caused the downfall of this [Atmosusilo] family. A former *juragan* [entrepreneur] of the Kauman suggested this was God's retribution for Atmosusilo's greediness and his failure to give the alms (*zakat*) required of all Muslims who can afford it. (In fact, it was not uncommon to hear devout Muslims from outside the community, Arabs as well as Javanese, remark that the downfall of Laweyan [Brenner's field locality, and Solo's *batik* industry centre] as a whole had been brought about by its residents' unwillingness to give the obligatory alms despite their abundant wealth' (1998: 212). In such context, not even a haji's demonstrated piety provides any assurances as to divine favour. Quite the opposite is true. As Darmadi (2013) notes for West Java, the figure of the haji is quite often implicated in accusations of social aloofness with rumours linking the attaining of fast wealth with the practise of usury, and of unconstrained desires demonstrated by polygamous lifestyles.

instrumental in the achievement of economic justice as envisioned in Islam, for it corresponds to a mechanism of redistribution. In addition, it effects the ‘purification of property itself, because it means paying what is due on the property, after which its possession is legal’ (2000: 162). Similarly, Yusuf al-Qardawi, one of the most widely recognised among contemporary authorities on *zakat* jurisprudence, concurs that *zakat* is indeed a right. While reflecting on the wisdom found in several Quranic verses dating from the Meccan period, he notes that their aim is to make ‘sincere believers realize [that] their wealth is not only for their use. They realize that part of it belongs in fact to the needy not as a charitable gift given with condescendence but as a clear-cut right without humbleness on the part of the receiver or pride on the part of the payer’ (2000:9).

This ‘minor’ or ‘counter-hegemonic’ understanding of *zakat* is affirmed in Java, both by referring to *zakat* claimants as *mustahiq*, a jurisprudential term literally designating in Arabic those entitled to *zakat*, and in everyday life every time something goes missing. Three of the most common responses to vanished wealth are that a robbery (*maling*) has taken place; a *tuyul* – a spirit in the shape of a human child – has been at play, acting on behalf of his human

master; or that the property in question corresponded to unpaid *zakat*—that is, *zakat* due to others. While the first two responses acknowledge an illegal removal, and recognise an illegitimately exercised violence, the third response puts the blame squarely on the person who has yet to transfer the *zakat* that is due. Such a person is normally denounced for committing *kurang amal*, i.e. for having done less than his/her fair share of good deeds, having failed to meet his/her obligations to others.¹¹ In this context, the non-transfer of *zakat* is equivalent to theft due to the misappropriation of wealth that is not one’s own to retain, but rather another’s to enjoy and dispose as a matter of right. The violence recognised by the third response is therefore seen as emanating from the unlawful retention of value and the inappropriate withholding of wealth that belongs to others.¹² In this context the forceful and stealthy soliciting of *zakat* is on the other side of the illegal and the illegitimate, and corresponds to a requirement for the realisation of justice.

Enforcing the right to *zakat* in this manner rests on taking. Such taking neither succeeds giving, nor does it presuppose presenting. It is neither equivalent to receiving, nor does it

¹¹ The flip side of this attitude to wealth is the reward one gets for having performed an unselfish or charitable deed. This reward is commonly denoted by the term *rezeki* that refers to a gift from God that is also one’s due recompense for prior acts of personal sacrifice. *Rezeki* is not limited to monetary forms; it can also be linked to health, longevity, happiness, affluence in terms of descendants, and good fortune in acquiring a spouse. Such attitudes have recently been repackaged and propagated anew by Muslim TV evangelist Yusuf Mansur (2008) and *syariah* entrepreneurship guru Ippho Santosa (2010). To the extent to which their approach to Islam and prosperity mixes freely the commercial and the pietistic, they are both direct descendants of a previous generation of popular Muslim figures such as Ari Ginanjar (Rudnyckj 2011) and Abdullah Gymnastiar (Hoesteray 2015). What connects them all together is that their take on the faith speaks directly to the anxieties and aspirations of an Indonesian middle-class emerging out of the ruins of the 1997 Asian economic crisis, intent on making it big in this life and the afterlife.

¹² It should be fairly obvious that *zakat* has serious implications for our understanding of property rights in Islam, and Muslim countries in general. Such rights are conceived of and practiced on grounds other than those recognised in liberal political economies that prioritise the human, and the claims individuals have to the product of their labour (or to equivalent recompense). I have noted such differences elsewhere, writing that ‘*zakat* differs both from the free gift and philanthropic giving in that the wealth transferred is not one’s own to offer (or keep) as it properly belongs to others. Adjusting our language would require that we speak of wealth transferred (or handed over) rather than bestowed: a *mustahiq* is not a recipient but a person entitled to that wealth. Recognition of the rights of *mustahiq* requires therefore the payment of *zakat*—that is, the calculation of the exact portion of wealth due to others and of its prompt transfer. According to this conception, it is only the remainder one can claim to possess and dispose of; it is only what remains after this process – of calculation, division, partition and apportion – has taken place that is legally one’s to take hold of. In other words, the kinds of ‘private, individual property rights’ envisioned are not absolute, but rather contingent on the performance of *zakat*. As such, they do not accrue automatically from the labour process, whether intellectual or manual, but follow upon *zakat*’s division and partition, founded upon the transfer of other people’s dues [...]. Moreover, such ‘property rights’ are better understood within a theological context that fully acknowledges Allah as the creator of everything and of humankind as His steward’. (Retsikas 2014: 351).

assume formal accepting.¹³ In most general terms, it amounts to a value transfer accomplished by means of craftiness, shrewdness and concealment. Soliciting recognises the Other – the one to whom *zakat* is due – as capable of acting purposefully, effectively and efficiently with a view to seeing his/her divine-given rights restored and respected. Moreover, it entails that the Other conduct his/her affairs in such a way that his/her identity remains elusive and secret. Secrecy is also the manner in which the value transfer is conducted. The Other that the forceful taking of *zakat* brings forth is therefore both unknown and unknowable. As such he/she is free from the violence the bestowal of names and the passing of the gift incur on their recipients, who have their identities given and fixed in the very process of giving. In contrast, due to the importance of stealth and concealment, soliciting exceeds pure giving in safeguarding and maintaining the Other's primacy and autonomy. Indeed, the value of concealment is often expressed in Islam when scholars emphasise that giving in secret is often preferable to giving in public. This is because giving in public potentially compromises both *muzakki* (*zakat* payer) and *mustahiq* (*zakat* claimant). It allows the *muzakki* to feel important before an audience, and to gain in status what they 'lose' in wealth; while at the same time it

imposes upon the claimants an inferior position, for they are made to look like recipients of aid. In this regard, several Islamic scholars emphasise that transferring *zakat* with the wrong set of intentions, such as those of pride and self-righteousness, risks invalidating the ritual, transforming it into sin. In surpassing both giving in secret and giving in public, soliciting is always on the side of the Other, to whom *zakat* is due, for it affords him/her unrecognizability and anonymity. By effectively locating the Other beyond the grasp of identification, soliciting construes him/her as a known unknown—an ever-present mystery and persistent aporia.¹⁴

At the same time, both *soliciting* and *taking* bypass considerations of crime, effectively 'bracketing' human law within the demands of justice, which, crucially, is of divine inspiration. Enforcing *zakat* through soliciting is thus located on the outside of human law, on a vast 'territory' making up a frontier, and constituted by a limit. The significance of the limit is to demarcate an exterior and infinite space permeated by otherness: the otherness of the divine, inclusive of the alterity of divine authority. The purpose of the frontier is to guard against a collapse, or breakdown, in the difference between the divine and the human—which for Islam would amount to unbelief, a major sin. When viewed in these terms, it is impossible to equate the removal of wealth

¹³ In her original review of the article, Carla Jones astutely observed that, in Java, soliciting is not limited to cases of wealth disappearing, but extends to bazaar encounters where 'the act to persuade buyers to part with their funds involves elaborate performances of deference, sweetness, force and dependence'. This much should be fairly apparent to anyone who has spent time in a Javanese or, for that matter, any Southeast Asian market, where intense, lively, and often fiercely competitive bargaining takes place between, usually female, sellers and buyers over the price of the goods on offer. In their research on markets in Java, Jennifer and Paul Alexander (1987) have described with great insight the basic contours this alternate soliciting involves, with sellers trying to achieve as high a price as possible through attracting the attention of passers-by, engaging in rapid-fire patter, language level manipulation, regular complimenting, occasional anger, and even ridicule (see also Brenner 1998). For their part, buyers' craftiness in acquiring goods for as low a price as possible involves avoiding giving in to seller's bids through interchanging items, walking off, feigning sudden disinterest or requesting extras. Undeniably this is a battle where the rapid valuation of goods is interjected with temporary valuations of the persons involved in terms of their social worth. To the extent that soliciting is both about agonistic value transfers and a valued practice itself, it is also of direct relevance to the way the bazaar economy operates, given the latter's general 'embeddedness' in the asymmetric flows making up the social in Java. However, the soliciting I speak of goes one important step further than that practiced in the market, for it works to ensure the anonymity of the Other. In resisting the impulse of objectification, it maintains that the Other's identity remains hidden from view. Moreover, the soliciting I wish to highlight here welcomes the force coming from the side of the Other, seeking to affirm rather than domesticate or subdue the violence the Other brings to the relation, raising it to the *n*th degree.

¹⁴ On aporia, see also Retsikas 2010, 2012.

through claiming *zakat* to a crime, for it is simply an act favourable in the eyes of God.¹⁵ As I have already stressed, *muzakki* who duly observe their obligations are expected to see their wealth multiplied; in contrast, those reluctant to part with what is due to others will see their wealth reduced. This reduction is not due to criminal activity; rather it is precisely what is necessary for justice to be achieved. The justice in question exceeds any sense of fairness that human beings might conceive or implement; to the faithful, it is the most perfect form of justice, with its unrivalled perfection guaranteed by its emanation from the divine Other.

Enforcing this justice requires the deployment of stealth and covertness. Concealing the identities of those involved is paramount to its realisation; managing not to exercise violence against the Other requires that the identity of *mustahiq* remains hidden and indeterminate. This indeterminacy is accompanied by two further, equally crucial features. First, divine justice is unavoidable, inevitable and unpreventable; it will be achieved whatever happens. Sooner or later, either in this life or in the next, it will come; there is no escape from it. Second, soliciting has agency always already located on the side of the Other. It is Allah and the *mustahiq* who act. The 'I', the *muzakki* – that is, the donor – merely re-acts. Both characteristics place soliciting at odds with justice as currently pursued in Indonesia, and elsewhere. In the last decade or so, the enforcement of the right to solicit *zakat* in the country has been turned into a bitterly fought battle between institutions representing the state and civil society associations (Fauzia 2013; Latief 2013; Salim 2006).¹⁶ The battle revolves around questions over which side is more legitimate in assuming and pursuing *zakat's* enforcement. On the one hand, advocates for the state eagerly remind the faithful of the example the Prophet set in Medina, where he imposed *zakat* as state tax. To this, advocates for voluntary associations stress that state officials in

Indonesia and elsewhere in the Muslim world are often guilty of dishonest and corrupt usage of public funds. For their part, state advocates worry that the potential for corruption and dishonesty inheres equally in civil society organisations, some of which award their managers large salaries and maintain close connections to political parties, especially Islamist ones. In response, *zakat* activists and relevant civil bodies routinely emphasise the injustices the Indonesian state has perpetrated against its own people, stressing the ways in which state policies are responsible for widespread poverty and mass suffering. Despite their differences, which are both numerous and not insignificant, both sides of the argument purport to act in the name of Allah, to be defenders of *shariah* and natural allies to the destitute and poor. They conceive of *zakat* justice as realizable and deliverable exclusively through their intermediation, portraying themselves as both central and essential in its dispensation. In this regard, both sides are very similar; by making themselves indispensable in the application of the rights of others, they seek to arrest *zakat* and its soliciting, domesticate its excess and appropriate its power – including significant financial resources – for their own ends. Whether such projects are authoritarian/patrimonial or liberal/neo-liberal is not what matters most. What is of utmost concern is that, in constantly referring to *mustahiq* as recipients and beneficiaries – and circulating their images in newspapers, magazines, and TV advertisements – both state institutions and civil society bodies perpetrate violence. For, under these circumstances, soliciting is characterized neither by concealment nor secrecy; what is more, the right to *zakat* is denied as one's own to claim.

The issue of *zakat* and its enforcement, however, is not restricted to such debates. That is to say, it is not merely a matter of whether one sides with the apparatus arbitrating legality, or favours the instruments promoting propriety.

¹⁵ A verse from the Quran often cited in Islamic circles pre-occupied with *zakat* proclaims: 'Take *sadaqah* (alms) from their wealth in order to purify them and sanctify them with it, and invoke Allah for them. Verily! Your invocations are a source of security for them, and Allah is All-Hearer, All-Knower' (At-Taubah 103).

¹⁶ The quest for justice is central in efforts, undertaken both in Indonesia and worldwide, for Muslims to come up with an Islamic alternative to capitalism. Hefner (1997) and Choiruzzad (2013) provide insightful accounts of the history of such efforts in Indonesia, emphasising the diversity of the approaches advocated. *Zakat*, along with the question of *riba* (usury/interest), are at the forefront of the movement for the creation of an Islamic economy in the country.

Rather, taking a Foucauldian (2008) perspective, we might recognize this as a pseudo-dilemma warranting our suspicion. Soliciting points a way out of the limits imposed by the state-civil society distinction. By means of artfully carving a space in-between the legal and the illegal, soliciting escapes the sanction of the law. In addition, it evades succumbing to standards of upright conduct by moving in a lateral, sideways manner, cutting across the hilly terrain of social mores. In order to underscore once more the way in which taking accomplishes this double *coup de grâce*, I revert to a story from the field.

During my stay in Surabaya in the same rainy season of 2011-2012, I also came to know quite well Ibu Nurhayati, a forty-something wife of an on-and-off construction worker, mother of five young children, and newly appointed manager of an Islamic micro-finance institution. The institution had been set up by an Islamic charitable foundation a couple of years beforehand in an effort to ‘empower’ the poor inhabitants of one of the city’s most deprived districts, which was situated next to the harbour. The plan involved the dispensing of funds initially collected as *zakat* to the local poor, with the purpose of stimulating their micro-enterprises—which involved, among other things, running food-and-drinks stalls, donut-making, and petty cloth trading. I have narrated elsewhere (Retsikas 2015) the ‘technicalities’ involved in using *zakat* moneys for micro-lending, stressing the jurisprudential, organisational, and financial innovations the micro-credit ‘revolution’ in the field of Islamic economics has ushered in. Undeniably attracted

by the promise of prosperity, and the capital made instantly available, more than two hundred women and two men enlisted in the program.¹⁷ From then on, these recipients of ‘financial aid’ were obliged to keep up with a regimen of weekly meetings and regular house-visits, which were deemed necessary for ensuring both compliance with the tempo of deferred repayment,¹⁸ and with requirements for methodical skills training, efficient budgeting and record keeping, as well as overall program monitoring.

According to Ibu Nurhayati, there were only a few cases in which people were able to claim the funds on offer without subjecting themselves to such disciplinary procedures, which would have put them in a position of indebtedness—at once symbolic and material. The two cases of which Ibu Nurhayati was aware took place in the initial stages of the program, and she said they involved people who had since left the city, having disappeared from the face of the earth—thereby remaining anonymous and unidentified to the authorities. Equally, the claims such people put forward implicated the powers of soliciting: their conduct in seeing that the value transfer was carried through involved the deployment of craftiness, shrewdness and concealment. What they did was the following. In order to qualify for financial assistance, the two ‘solicitors’ simulated their involvement in micro-enterprise by constructing a set of impromptu food stalls using equipment borrowed on the spur of the moment from friends and relatives. This simulation took advantage of the unsuspecting representative

¹⁷ As in other parts of the world, the practice of micro-finance in Indonesia is very much a gendered affair involving a disproportionate number of women, relative to men, as trainees/aid recipients. Micro-finance institutions operating in the country rationalise their choice of empowerment targets as conforming to long-standing traditions of women being both economically active and in charge of household budgets, and thus ultimately responsible for ensuring family welfare. In addition, this selection allows husbands to continue validly to claim the status of ‘household head’ (*kepala keluarga*), a position sanctioned both in state law and Islamic jurisprudence. It is precisely because men are usually excluded from becoming financial aid recipients, thus coming under the explicit and direct supervision of microcredit institutions, that they are able to claim authority over family matters.

¹⁸ Most of the *zakat* moneys used to finance the program were dispensed on the basis of *murabaha* contracts undertaken by the micro-finance institution and specific, named individuals. *Murabaha* is a sale-based instrument, involving the finance institution purchasing a good on behalf of a client and the subsequent selling of the same good to him/her at cost, plus a declared margin, with the payment being deferred for a specified time period. In the case under discussion, the mark-up did not amount to profit, as it was used to enhance the capacities of the program at the local level. The use of *zakat* for micro-lending purposes is highly controversial both in Indonesia and across the Islamic world. However a relatively recent edict issued by the Indonesian Council of Muslim Scholars (*Majelis Ulama Indonesia*), and entitled *Using Zakat for Investment* (no. 4/2003), sanctions such an option. For more information see Retsikas 2015.

from the micro-finance institution, who had given them advance warning of a visit to validate their activities. As a result of their ingenuity, contracts were signed, and funds of as much as 1 million rupiah changed hands—after which the ‘solicitors’ made a quick exit, never to be seen again, their names and faces now forgotten.

Ibu Nurhayati, as well as many others involved in the practice of Islamic micro-finance, found such simulation morally reprehensible, as there was guile and cunning involved. Yet, they also stressed that the people concerned were not guilty of misappropriation, theft or anything of the sort. Moreover, they had no case to answer for.¹⁹ In their capacity as ‘the poor’, theirs was, and remained, a valid claim to *zakat*. In this regard, the validity of *zakat* entitlement renders all other concerns as secondary and contingent. The same applied to ‘aid recipients’, who found themselves unable to repay the micro-loan advanced when, for a variety of reasons, their business ran into trouble, they fell ill, or were otherwise unable to work. According to representatives of the Islamic micro-finance institution, they too were exempt from the typical obligations surrounding loan repayment, for their *zakat* right overrode any responsibilities ensuing from the credit contract that they had signed. The overall significance of such a mode of soliciting was confirmed when, in an interview with Prof. Muhammad Amin Suma, Dean of the Faculty of *Syariah* and Law at the esteemed *Universitas Islam Negeri Syarif Hidayatullah Jakarta*, he too posited the primacy of *zakat* justice, observing that

It is ok to give *zakat* to the poor as capital. In the process of empowerment, some *mustahiq*'s business is successful, and then there are those who are not. The latter might find themselves in difficulty when trying to return the money lent. In the past, there were many cases of wiping the record clean, when the issue of debt was not pursued further. But this presented us with new problems, as many people thought that it was okay to take [*ambil*] the funds without any obligation to return them. Because of such problems, this method [of dispensing *zakat*] should no longer be used. The poor should be given *zakat* as capital, but there should no longer be any requirement regarding its return.

Conclusion

Anthropological writings on the gift by Mauss, Derrida and others have been inspired by the desire to achieve more than a description of what is going on in faraway places; commitment to culture critique has been a key motivation. Alongside it, there has also been the pursuit of an alternative to the market conception of social life, and the search for a new ethics. My claim is that this conception, along with the anthropology of the gift, has to be constituted anew. For the inquiry has so far been conducted from the perspective of the giver, and has often uncritically equated giving with morality, and civility, the good and the true. This has also been the case with studies critical of an influential literature equating the gift with reciprocity. In counter-distinction, my argument has been that both the powers of soliciting, and the perspective arising from acts of taking, remain hidden in – and are actively suppressed by – the more visible ideals that organise anthropological and Derridian renditions of the gift. The brief ethnographic excursion to the Javanese landscape of *zakat* practice has allowed me to describe soliciting as irreducible, and as prior to giving. This is especially so for those Muslims I know, for whom soliciting *zakat* derives from a God-given right to a portion of the wealth presently – if temporarily – possessed by their more prosperous compatriots. Likewise, the Javanese material presented here demands critical engagement with the violence entailed in the act of soliciting: the force of this ineluctable violence is a manifestation of justice in process.

Soliciting comprises the shaking of totalities; as such it violently opens up the space for a new ethics to emerge. This ethics is necessary for both analytical and political purposes. Soliciting demands the radical reconfiguration of the Other; it is not enough simply to recast the Other from a passive recipient of a generously bestowed gift into an active figure in its presentation. The sweeping move is rather to conceive the Other as the cause of, and the occasion for, the self. For the Muslims with whom I am familiar, individual rights of ownership are established only after the *zakat* due on the property in question has been paid and transferred to those entitled to it. It is on

¹⁹ The 1989 Religious Judicature Act vests Islamic courts in Indonesia with the substantive jurisdiction and enforcement powers over economic transactions based on Islamic law (Cammack and Feener 2012).

condition of such rights' recognition and application that one's wealth is bound to subsequently increase. Viewed in this context, the concealment, anonymity and secrecy soliciting affords the *mustahiq* begins to make new sense: for wealth, prosperity, well-being to be achieved, the other has to remain inviolate and hidden. For vitality and profusion to come about, the requirement is for the other to perdure as the known unknown. My claim is that the vital excess the other signifies is beyond the goodness of the gift, beyond the honour of the contract, beyond the lights of reason: soliciting and the violence it requires is the ground and the condition of possibility of them all.

Acknowledgements

The research presented here was conducted under the auspices of the ESRC (RES-062-23-2639) and the ASEASUK Research Committee. I presented different versions of the paper at EUROSEAS 2013, IUEAS 2013, the Oxford Centre for Islamic Studies, and the Anthropology Department at Princeton University. I wish to thank the participants for their insightful comments, as well as Richard Fox for his astute editorship and assistance.

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Pious Sight: Seeing Value as Rights in Java

A Response to Retsikas' 'The Other Side of the Gift'

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With this essay, Konstantinos Retsikas joins a venerable literature on the sociality of exchange. Based on examples from Java, Retsikas asks how our theories of gifting and indebtedness appear in the context of pious Islamic economies. Or perhaps more accurately, he asks how they do not appear. When things and money disappear without a trace, they demand an explanation. Moments of mysterious loss can be understood as theft, the work of mischievous spirits, or bad luck. In contemporary Java, as Retsikas shows us, one other explanation is *zakat*, the charitable tithe on wealth redistributed to the poor that is one of the five central tenets of Islam.

Reframing a loss into a gift recalls a long scholarship on exchange, famously initiated by Marcel Mauss and expanded by Jacques Derrida, David Graeber and Marilyn Strathern, among others. Central to each of these approaches has been the fundamentally social nature of circulation. So central is the social to these analyses, many of them emphasize that what is being exchanged is ultimately not the money or the thing, but ineffable, culturally specific qualities such as fame or dependency that can only take form in material ways. Strikingly, Retsikas turns this conversation in a new direction, towards solicitation. Rather than consider loss an expression of generosity or crime, Retsikas asks us to consider the solicitation side of the exchange process, one in which taking is legitimate. More than elicitation, that which is taken is already prefigured as rightfully the recipient's, it simply has to be taken to make it so, by force if necessary. When affluent people neglect to pay their *zakat*, those who are due it are entitled to claim it without further permission. This involves a conception of rights that are less connected to neoliberal ideas of the individual and are more connected to cosmic ideas of justice. Once the property is claimed in this way, it is purified of the self-interest that may have tainted it to begin with.

Central to this framing is secrecy. By forcefully taking that which is due, the taker

denies the giver the privilege of charity, as charity would require humility and gratitude from the recipient and would ultimately compensate the first owner of the object with moral superiority. The taker incites action, claiming not only the wealth but also the stage, by being the first to act. Derrida's description of a universal giving subject, Retsikas says, is helpful but limited, because it evokes a 'self-disciplining and self-effacing subject, who values the aesthetics of humility and modesty, and is in total control of bodily and mental functions' (page 8). Instead, Retsikas argues, taking as involuntary *zakat* is violent but not immoral. It stands outside of the moral precisely because the taker's identity remains unknown. 'As the very force that generates the social, this violence...simply is' (page 6).

To describe *zakat* as requiring acclaim, humility, and gratitude captures one of the many ways in which Retsikas's examples are distinctively Javanese. The scholarship on power, etiquette and culture in Java repeatedly reminds us of the inverse relationship between public displays of humility and political authority (e.g., Brenner 1998). To non-Javanese, these performances of simplicity fly in the face of Western norms of blustery proclamations to power (cf. Anderson 1990). To take Retsikas's claim to its logical conclusion, the ultimate power is invisible. Only a person who is unknown can fully possess it.

This suggestion merits further contextualization in the recent history of Indonesian public culture. There is no doubt that the recent forms of Islamic piety that have been most striking, to analysts and to Indonesians themselves, have been public. Charismatic authority and celebrity are ubiquitous. Islamic piety has been commodified, advertised, and circulated in ways that appear to be primarily about display and public recognition. However, acknowledging the public face of piety only gets us half the story. As Retsikas observes, the public form generates suspicion about the invisible form.

In this sense, I find the claim that the secrecy of taking *zakat* (which is actually different from soliciting, which is performative and public) positions it outside of the social to be provocative and in contrast to much of the recent research on Indonesian cultural politics. This literature has focused on the Suharto regime's legacy of secrecy and a popular desire for transparency. James Siegel's work (also in conversation with Derrida) repeatedly reminds us that the Suharto state ruled not simply as an oppressive power but as a constituency competing with the citizenry for control over unknowable, unseeable forces. The ability to 'name' a criminal placed the state or the citizen in a position of authority. These conditions have been linked to the desire for the clarity that Islamic piety can provide, especially in terms of political expression (Brenner 1996; Hefner 2000). Aesthetically, too, these conditions have made for profound anxiety and curiosity about the sociality of the invisible. Nils Bubandt has described these conditions as 'murky', producing a fascination with true and false documents (2008). Karen Strassler has described popular photography as alluring because it might capture a truth that the eye could not see and in the process produce justice (2010). Patricia Spyer has argued that the unpredictable nature of violence during the recent war in Ambon made visibility even more appealing, generating a form of public art that was created to be seen by humans and by deities (2013). Mary Steedly has linked the public appetite for horror films in Indonesia after Suharto's resignation to a public curiosity about state violence (2013). These scholars build on research that traces a respect for and credibility in the invisible to colonial and even pre-colonial ideas. For example, Margaret Wiener beautifully conveys the fundamental contradiction in worlds between Dutch colonial officials and Balinese subjects: the former believed the world was as they saw it, the latter knew there was an entire invisible world full of intrigue, personalities and complexity (1995). The tension in these worldviews led to violence.

Each of these cases suggests that violence, invisibility and secrecy are fundamentally social. Although violence may ground the social claims to contract or indebtedness (page 13), I would argue that it is also thoroughly social. Rather than existing prior to the social or even political moment, the permanent threat of violence is certainly frightening, and after it happens, it is

interpreted. Sometimes that interpretation figures violence as pre-social, and if so, that is compelling, but it is nonetheless an interpretation that comes out of a particular context. Indeed, many of these examples suggest that Indonesians themselves are coming up with ways to understand violence as immoral. Retsikas does us a service by pointing out how forced *zakat* can 'affirm' rather than negate violence (page 5), but even affirmation is more than suggesting that violence simply exists. It is a judgment, one based on moral claims of membership among the deserving poor. If a claim to *zakat* is denied, by claiming that a taker is actually a criminal, that is also a moral position. In pointing us to debates about how to see the secret world through the lens of those who feel they have no choice but to take, this essay expands our conversation to include the side of the gift that has, perhaps intentionally, been invisible.

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Whose Property? Latent Liberalism & the Moral Economy of Solicitation

A Response to Retsikas' 'The Other Side of the Gift'

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What norms undergird property rights? Under what conditions might one exercise claims to the property of another? 'The Other Side of the Gift' takes up the age-old anthropological question of the gift and attempts to identify a perspective from which property rights are represented as 'amoral'. The central argument is that by focusing not on giving, but on the receipt of the gift (which is referred to both as soliciting and taking), Retsikas 'describes a mode of violence that precedes the moral, the legal and the contractual'. In so doing, Retsikas suggests that he is making an intervention into social theory by recouping a previously unacknowledged agency of the recipient, writing 'I too proceed to recast the so-called gift-receiver from passive into active figure; however I also venture further afield by explicitly considering the gift from the vantage point of soliciting, itself a desire-driven activity which almost amounts to stealing and yet manages to successfully sidestep the law and its negative consequences'. The attempt to recoup docile agency recalls recent work on Islam by Saba Mahmood (2005:15). But, as I understand it, the intended intervention is two-fold, not only to draw attention to the agency of the recipient, but also to identify a space from which property rights are seen as not immoral or moral, but amoral.

While the essay makes some interesting claims, I wonder if the central argument about the amorality of soliciting is confirmed by the ethnographic evidence presented. Furthermore, this contention converges with the arguments of liberal economists who have sought, since the eighteenth century, to represent exchanges and the market at large in amoral terms. Retsikas asserts that 'an expansive body of anthropological work on the gift, reciprocity and charity is similarly pervaded by moral concerns and quests. And yet one cannot escape wondering what the anthropology of the gift would be like if it had not been written from the

perspective of a morally charged giving, but rather from the perspective of an amoral soliciting?' From whence is such wonder indeed generated?

In claiming that the exchanges he observes in contemporary Indonesia are 'amoral', Retsikas's central contention mirrors that of liberal and neoliberal economists who have contended that market exchanges can be cleaved from social ones. To cite just one example, Michel Foucault traces this abandonment to the origins of liberalism, and the early liberal efforts to reconceptualise the relationship between the market and the state. In his 1979 College de France lectures 'The Birth of Biopolitics', Foucault argues that prior to the eighteenth century the main problem faced by the early modern state with regard to the market is the administration of justice (Foucault 2008: 30). The state must ensure that values are negotiated justly, and thus the market is the site of regulation where the state must ensure that the prices charged are just and that buyers are protected from possibly fraudulent sellers purveying shoddy goods, such as old flour or rotten milk. However, by the eighteenth century liberal political economists reconceptualise the market as a site not where the morality of prices and goods must be regulated, but rather as a means for the determination of truth, or what Foucault terms 'a site of veridiction' (32-33). In other words, the role of the state in ensuring the morality of the market is abandoned in favour of allowing the market to function in such a way that natural prices are revealed that are free of state interference.

Retsikas associates the 'perspective of morally charged giving' with the work of James Scott in a discussion that is curiously reduced to a footnote. The trouble with this claim is that in his classic work, *The Moral Economy of the Peasant* (1978), Scott does not write from a moral perspective, but rather claims that social relations prior to the hegemony of colonial

capitalism are undergirded by an implicit exchange. Moral norms are not a *lens* through which Southeast Asian societies are viewed, but the very *objects* that enables their coherence. Thus, Scott does not argue that the moral economy is morally superior to the colonial capitalism that eventually displaces it, but rather that it hangs together due to a shared set of moral understandings that bind people together in spite of material inequalities. The key point here is that Scott is not passing a moral judgement or projecting 'moral concerns' onto the economic exchanges that organize Southeast Asian societies prior to the colonial onslaught, as Retsikas suggests, but is rather showing how these societies maintain their integrity based on the moral understandings of the subjects who occupy them.

The dismissal of Scott's argument about the centrality of moral economies to Southeast Asian societies is far too cursory to be relegated to a mere footnote. A key text in the Maussian tradition, Retsikas claims that Scott's arguments have been 'rightly critiqued ... for their ideological basis', but then provides no citations to specify exactly what critiques are being invoked. One wonders if this is a simple oversight.

In spite of the claims to the deconstructive force of solicitation as a concept, a liberal conception of property rights is evident in the analysis. It is critical to keep in mind that such a notion is still foreign to the everyday practices of vast numbers of Southeast Asians today. In Scott's formulation the recipient (or solicitor to use Retsikas' preferred term) in a moral economy is not 'taking', but simply accessing goods to which they are rightfully entitled by virtue of the previously existing inequality between giver and receiver. It is a radically different conception of property rights and entitlements that does not conform to liberal norms.

The moral economy which frames the exchanges invoked by Retsikas is strikingly apparent in the story of the stolen laptop, which serves as the primary ethnographic evidence in the essay. The puzzle Retsikas seeks to explain is why his Indonesian interlocutors are not bothered by the stolen laptop. But the ethnography suggests that the street vendor with whom Retsikas discusses the laptop incident sees it not as a theft, but rather that the person who

took the laptop was entitled to it, due primarily to the disproportionate differences in the material well-being of the haji from whom it was taken and the young man who works on the haji's security staff. Indeed, the street vendor Retsikas consults about the theft does not represent it as a violation of liberal property rights, but, not surprisingly, in terms of a moral economy: a tithe (*zakat*) to which the young man was entitled. As Retsikas puts it, 'the laptop's rightful owner was not the haji but the person entitled to the haji's *zakat*'. This is precisely the way in which property rights are conceived in Scott's version of the moral economy: the taker is (a) entitled to the laptop, is (b) not a thief, and is therefore (c) committing no violation or violence. Indeed, the ethnography suggests that the haji himself acknowledges this fact insofar as the disappearance of the laptop 'was quickly forgotten and was never mentioned again either by the haji or his family'. The haji himself seems to recognize the justice of the 'theft'. To return to my argument, one only sees the disappearance of the laptop as 'taking' or 'theft' and thus violating the limits of moral order if one has a fundamentally liberal view of property rights. From the perspective of the Indonesian interlocutors it appears as if it is part of a moral economy in which the poor are entitled to the surplus wealth of patrons.

If Scott's argument were seriously addressed Retsikas might modify the reach of his argument and perhaps aspire to less totalizing theoretical claims. For example, he concludes 'Enforcing the right to *zakat* ... rests on taking. Such taking neither succeeds giving, nor does it presuppose presenting. It is neither equivalent to receiving, nor does it assume formal accepting. In most general terms, it amounts to a value transfer accomplished by means of craftiness, shrewdness and concealment'. However, from the perspective of those within a non-liberal moral economy, the right to *zakat* is neither crafty, nor shrewd, nor concealed. It is an obligation on the part of patrons to which clients are morally entitled. As the street vendor's account of the disappearance of the laptop demonstrates, subalterns are not expected to make formal acceptance because they are merely appropriating what is due to them.

The opening vignette of Retsikas essay depicts familiar conversations during Ramadan

in which 'the good people of the middle class' dismiss beggars as 'professionals' who are not entitled to the charity they solicit. To no great surprise, these members of the urban middle class couch their criticisms in decidedly liberal terms. They see these beggars as 'lazy and indolent', ignorant of the 'value of work', and lacking in individual responsibility for their economic predicament. Rather than being sincere in their piety, they are represented as conniving and seen as using deceit to obtain what is rightfully the property of others. It is no shock that liberal values are in widespread evidence among some sections of Indonesia's urban middle classes. This is precisely the population that is perhaps most removed from the moral economies that pervade the Indonesian countryside, living in the relative anonymity and modern socialities of the city, where a distinctive order of individual rights and obligations prevails. In the absence of a duty to aid the less fortunate, these members of the middle class can cloak their failure to give in a baldly liberal language of work, property rights, and truth. Just as Foucault observed in the liberal reformation of the problem of the market from one of *justice* to one of *truth*, these members of the Indonesian urban middle class do not see redistribution in terms of justice, but rather in terms of truth. Hence their contention that the 'professional beggars' are only 'pretending to be destitute and poor'. This is how members of the middle class judge the truth of poverty. Shorn of their responsibilities in a moral economy, liberalism frees the middle class to make its own judgement regarding the veracity of need and its own obligations to the less fortunate that surround them.

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The Conditions of Anonymity: A Comment

A Response to Retsikas' 'The Other Side of the Gift'

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Konstantinos Retsikas has written an inspiring and provocative contribution to the long-standing debate about the nature of the gift and its role in the constitution of the social. My comments aim at contrasting my own conceptions of the gift with those of Retsikas, not in order to refute his argument, but in order to highlight some of its hidden features. I do so, I hope, in the same spirit that Retsikas has written his paper, in order to reveal some of its gaps and unspoken assumptions.

Retsikas argues that most conceptions of the gift, starting with Mauss' masterly essay, focus on the donor, constructed as both agentive and generous. In contrast, Retsikas proposes to focus on the recipient as agent. This focus on solicitation, however, is not really what is new about Retsikas' argument. It has been explored in particular in regard to demand sharing and animist hunting. In accounts like those of Nadasdy (2007) and Willerslev (2007), hunters solicit the gifts of life and bodies of the game animals by elaborate techniques of seduction, pleading, and even cheating. The violence that Retsikas identifies in solicitation is thoroughly apparent in these contexts. The debates on the similarities and differences between sharing and gifting notwithstanding, the predatory imagery embedded in the Trobriand spells demonstrates how these forms of transfer are related.

What is new about Retsikas' argument is his point that the solicitor remains anonymous – and that this anonymity figures as an important function of the gift. This radicalizes the notion of soliciting by adding the secrecy of the taking, which goes beyond the animist hunter's attempts to seduce his prey. Retsikas indeed identifies an unacknowledged dimension of the gift, but his argument implies certain assumptions that are in need of closer scrutiny.

Retsikas sets up his point as a reversal of Derrida's critique of the gift, by pointing out that Derrida assumes an agentive, self-disciplining donor. In contrast, Retsikas puts the anonymous

taker – who might unconsciously be acting upon God's will – center stage. Derrida, according to Retsikas, argues that the alterity of the recipient is denied if the gift is recognized as such, rendering him a derivative, inferior being.

However, this argument assumes that a single transfer of a gift can be isolated from other such transfers, similar to the way modern economical theory derives its models of human nature from single, finite transactions between bounded parties. But the gift raised Mauss' interest for the very fact that each transaction appears as part of a circulation that creates a – however unstable and negotiable – social whole, just as it creates the persons enacting it. Thus, the giver of a gift must by necessity have been the receiver of other gifts before – and is therefore in the same situation of de-subjectification as any other recipient. Derrida's construction of gifts seems to deny their circulation, by searching for the condition of an isolated, 'primordial' gift.

Retsikas follows Derrida insofar he assumes that the gift is only possible if it is not recognized as such, i.e. does not create lasting obligations – as if lasting obligations were something detrimental to the individual. While Derrida puts the responsibility for the invisibility of the gift upon the donor, Retsikas suggests that it is far more obvious to seek the anonymity in the taker. Making the choice between donor and taker a crucial one in the argument, however, means to stress personal agency over social relationality. Also, this raises the question of what the conditions are for a social situation in which takers can legitimately become invisible.

Let me begin with the notion of morality in Retsikas' text. Retsikas states that '[s]oliciting [is] a practice unburdened by moral questions'. Here, as in other formulations, morality seems to be situated within the actors who are making decisions regarding the good and the bad. But there is another notion of morality, one closer to Mauss, in which the term implies the heeding of shared values and long-lasting relationships. In

this sense, as Retsikas demonstrates, solicitation only works by appealing to morality. In the case of Java, the long-lasting relationship is with God whose laws allocate shares of wealth across a community composed of the poor and the rich alike. As Retsikas points out, taking might be illegal but legitimate, revealing the difference between two levels of the overall sociality: one of human laws, in which anonymous taking is theft; and a cosmological level, on which it is, under certain conditions, the realization of God's will, as the highest value of the community. But, as Bathurst (2009) has argued, even fairly small-scale societies with a strong sense of equality might consider stealing to be a means of redistributing wealth and leveling inequalities, without the involvement of cosmology.

Soliciting thus follows from a sense that those who are able to give are obliged to do so. What is this obligation derived from? Two possible answers occur to me. The first is an individualist one: Whoever has needs has a right to satisfy them, by taking from whatever source. This would basically lead back to economist universalism, based on the needy individual. The other answer is relational: Because the haves and the have-nots are unequal, but still tied to each other, solicitation might be successful, and even anonymous taking appears as legitimate. In this sense, solicitation is not irreducible – it not only assumes a gift not given, but also follows from an existing relationship. This we might tentatively call community, social whole or socio-cosmic order, if these terms would not suggest a boundedness and orderliness which does not resonate well with the emergent, constantly shifting character of both the social and the gift.

This also suggests a distinction between types of violence, as, otherwise, there would be no distinction between legitimate taking and theft. The public debate in Java about the legitimacy of demanding *zakat* (which I wish Retsikas had come back to) clearly shows that Javanese do make a difference – first, one between illegitimate thieves and solicitors of gifts, and second, between legitimate and illegitimate soliciting. Soliciting *zakat* is fine when done by unfortunate and poor city dwellers, but illegitimate when done by lazy country people. Both these distinctions stress the moral nature of soliciting – otherwise, there would be no debate.

This ultimately brings us back to Mauss. 'The Gift' has been sometimes read from a pers-

pective stressing reciprocity, focusing on the obligation to repay, and Retsikas is right when he argues that this is not the most satisfactory interpretation of the text. In fact, Mauss' essay can be understood as the story of how permanent giving that creates the social becomes reduced to individual contracts which formalize reciprocity.

Another approach has been to focus on the circularity of acts of giving and taking. In this view, no single act of giving can be isolated from a larger process of social (re)production. This seems to be one of the clues to the Javanese situation. In a reciprocity model, the recipient of *zakat* would be outside the sphere of the gift, as s/he is unable to reciprocate. But a more circular (or spiral) image of the social becomes apparent when God as encompassing value comes into play. Ultimately, it is God who balances giving and receiving, by punishing the stingy and promoting the generous. The anonymity of the legitimate, but illegal taker of the gift is only assured by the fact that s/he is performing God's will, who is the real exchange partner. The legitimate solicitor remains anonymous only in the sense that s/he is not identifiable as a person – and here, Retsikas indeed formulates an exciting challenge to theories which derive personhood from exchange. Yet, the solicitor remains invisible because s/he is hiding behind something else – his/her invisibility renders visible the central values of the social.

We are thus not finished with reading Mauss. Mauss indeed highlights generosity, thereby drawing attention to the agency of the giver. But generosity is not his paramount point, even though in the final chapter of his essay, he calls for this virtue in his current time. But a focus on either the donor or the recipient likewise reduces the complexity of Mauss' argument. While action and agency are crucial for him, they are always complemented with a more expansive, emergent sociality. As he explicitly states it, generosity and self-interest are indivisible in the gift, and so, by consequence, are individual agency and the emergence of the social. This, not a rather European alternative of altruism and egoism, is the real challenge of the gift.

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In Reply

Konstantinos Retsikas

The current paper corresponds to the third and final part of a trilogy of studies on *zakat*, the Islamic wealth transfer, as it is conceptualised and enacted in contemporary Indonesia. The first study explored major shifts in Indonesian jurisprudential discourses concerning *zakat* over a period covering roughly the past fifty years (Retsikas 2014). There I noted that recent efforts on the part of Islamic figures, and certain national institutions, to make *zakat* transfers equivalent to philanthropic giving have failed to come to terms with legal descriptions of *zakat* as *inter alia* the right of the destitute and the poor (*hak fakir miskin*). The second study (Retsikas 2015) explored other significant processes, currently under way, of turning *zakat* into both a financial asset and a debt-based instrument for purposes of community development projects that are also *shariah*-compliant. In particular, the second article looked into a series of legal, pedagogical, and organisational innovations that were developed in the 2000s and early 2010s, and which have sanctioned the deployment of *zakat* as a commodity in asymmetrical transactions involving civil society institutions and the urban poor.

The current article brings this exploration to an end-point, which is also a new beginning. By explicitly disclaiming *zakat* as either equivalent to ‘gifts’, or as comparable to ‘commodities’, it opens up the practice of *zakat* to an alternative, ‘deconstructive’ reading—thereby effectively foregrounding *zakat* as an excessive ‘sign’, endowed with a surplus of meaning, and untapped political and ethical potential. My discontent over contemporary Indonesian ‘renditions’ of *zakat* has, in other words, led me to look for the ‘untamed’, the residue that discourse always leaves behind. Moreover, by placing *zakat* at the centre of analysis, my aim is to make the case for a new way of conceptualizing (and *valuing*) value transfers. The residue in question is the subject matter of the current article and relates to acts of soliciting—i.e. performances in which transactions are accomplished without the promise or

expectation of a return, whereby the enforcement of one’s property rights requires concealment and anonymity. The solicitors, whom my ethnography makes manifest, take without stealing or recompensing, ‘interpreting’ the (human) law by means of constantly testing its limits, illuminating its breaking points, and shaking its foundations from within.

As well as ‘undoing’ current Indonesian experiments with philanthropy and micro-finance, these Javanese solicitors also upset key social scientific theories of value. The latter are at the heart of the commentaries provided by Sprenger and Rudnyckyj, which are concerned with the relation of value (morality) to values (the economy), the supposed morality of gift-exchange and the alleged immorality of the market. In reply I should begin by clarifying my overall position, in order to avoid misunderstanding. My point of departure is this: Despite their ostensibly critical inclination, both Marx (2010) and Mauss (2011) remain shackled to a contractarian model of the social that is at least as old as Hobbes’ and Rousseau’s treatises on the subject. Whether in the form of a counter-gift, or as wages paid for labour-time expended, the idea of *reciprocity* remains for them a key presupposition. The postulate of a commensurate return amounts to an uncritically adopted theoretical *and* moral foundation. The honouring of contracts, and the honour of being contracted, are taken to be of utmost importance—both ethically and conceptually. Moreover, in the case of Marx, the equivalence of *giving* and *taking* is deployed as a meta-value in terms of which he conducts his evaluation of capitalism as exploitative. However, the overwhelming difficulty we face is that contractarian assumptions are found at the heart of capitalism itself, with the market furnishing the required mechanism for eliciting returns and adjudicating equivalences. Moreover, exponents of the market through the ages – from Adam Smith (1976) to Milton Friedman (1962) – conceive of it as a moral arena essential for the

pursuit and realisation of human values—such as those of propriety, sympathy, and mutuality, as well as of freedom, choice, and agency. Where does this leave us?

For one thing, and always anthropologically speaking, a failure to take the natives' perspective seriously (as Rudnyckj implies) would be a gross mistake for any ethnography of modernity. In this regard it is important to note that in liberal and neo-liberal approaches, the market is primarily conceived as means to an end, a 'thing' that is not valued or important in itself, but is useful for the realisation of an ultimate, 'priceless' value. The institutional 'disembedding' of the market and its 'lifting' above all other social relations is motivated by ethical considerations: It serves to cultivate and promote 'universal' human qualities of individuality, creativity, and autonomy. This line of reasoning raises important questions with respect to the so-called 'moral economy' approach as well. To rephrase a point already made in the essay itself, James Scott's *The Moral Economy of the Peasant* (1976) is neither part of the Maussian tradition, nor is it part of the Marxian tradition, and this because it posits *security* as the paramount value. Scott's book begins with the question of security—namely, what are the conditions of possibility for peasant revolt? And he locates the answer in subsistence security ethics—i.e. peasant arrangements revolving around patron-client relations that presumably ensure that everyone has enough to eat in return for staying tame. The very same value pervades a burgeoning literature on Islam in anthropology, which sets out to test the 'compatibility' of Islam and democracy, the market, human rights, modernity, etc.

The approach I have taken, both in this study and more generally, is inspired by one of the greatest auto-ethnographic texts of the 19th century, Nietzsche's (2003) *The Genealogy of Morals*. The philosopher's maxim of the transvaluation of all values, inclusive of the will-to-truth, the will-to-knowledge, and the will-to-good, forms a most significant counterpoint to the contractarian model because it provides a

critique of exchange. This is the call to which Derrida responds; following him, I do too. In this context, soliciting signifies counter-values as much as the return of the 'un-tamed'. Such return does not reproduce sociality through exchange, but dislodges our expectations of the normal, disturbing the rhythms of anticipation coded in contracts. In embodying such a critique, and revaluating our values, the act of soliciting demands of its practitioners that they remain anonymous. As Sprenger notes, anonymity is of central importance for my argument precisely because it foregrounds an unconventional conception of the subject. To the extent that the value of critique is as good as the alternatives it opens up, solicitors are to be thought of as future-subjects, the people-to-come. What this means is, first, that the subject positions signified by solicitors are beyond the identitarian projects of late modernity with their politics of state recognition. In desiring obscurity over and above sovereign protection, solicitors manifest the positive side of concealment. In this regard, Jones is right to point out that Indonesia is a country that has long suffered from projects of political domination that involve an unholy mix of disguise, cover-up and suppression. Writing with respect to the infamous ninja killings of East Java that took place after Suharto's fall from power in 1998, I myself brought attention to the intimate connection between practices of concealment and political violence (2006). However, there is more to concealment than meets the eye (so to speak); the current article attempts to make this explicit. Let me put it this way: Solicitors' practices of anonymity are important because they pose a profound challenge to anthropology. An anthropology in which descriptions and concepts are meant to classify and identify – to name and to designate, to make the other the object of knowledge – is an anthropology that has yet to leave its birthplace. An aporetic anthropology, by contrast, is a traveling one: It affirms the alterity of both the other, and of the future, by refusing to objectify—by placing chance and uncertainty – the unknown – at the heart of its project. Soliciting is a by-word for such an aporetic anthropology.

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