

I am honored beyond words to receive the Anneliese Maier Prize today, along with such distinguished colleagues. I am deeply grateful to the Humboldt foundation, to Director Aufderheide, and to the selection committee for the remarkable opportunity this represents, and to the Max Planck Institute for Social Anthropology in Halle (and especially its Director Marie-Claire Foblets and Dr. Maria Sapignoli) for nominating me and I so look forward to our coming collaboration. I want to acknowledge my tremendous debts to those who trained me as a scholar to so many colleagues who have supported and shaped my work over the years and especially to my research subjects, my collaborators in the field. Most of all, I am grateful to my family, many of whom are here today, whose commitment and love is the center and the foundation.

As was already suggested yesterday evening, we meet at a moment of cultural crisis, embodying both despair and hope of dramatic social and cultural change. Everywhere we see examples of the disintegration of shared values, aided by new technologies of communication that help us to filter out what we do not wish to understand.

Nationalism is on the rise, from the United States to the United Kingdom to Japan, the Philippines, Hungary, Turkey, and elsewhere. Ethnic and religious conflicts abound, enabled by the geopolitics of superpowers, and for the first time in a generation, there is risk of world war. Even the Rule of Law--once a shared (if somewhat compromised) technology for managing cultural economic and religious divides—is renounced in some quarters. There is a lack of trust in institutions, and in many sectors, a lack of trust in experts, knowledge and expertise altogether.

What all of these developments share in common is an inward-looking turn: in many parts of the world, people are turning away from foreignness of all kinds—from foreign persons to unfamiliar ideas. What is foreign is dangerous, repelling, or just plain uninteresting.

What is the role of the university at such a cultural moment? Many of us hope that it can be a site of commitment to knowledge, to expertise, and to cosmopolitanism—that it can be a space where the once taken for granted dream of a more rational, inclusive world remains alive.

And yet, is the university really immune from the inward-looking orientation of the culture at large? This is the image most of us were trained with: A singular genius, working alone in his office (and it usually was a “he”) to produce the next epoch-making idea, whatever the field: business, policy, the arts or the academy. We all know that the days of this kind of lone genius are largely over. The problems are simply too complex, and too interconnected across different fields —and across jurisdictional and cultural boundaries—for any one person to be able to define them clearly, let alone resolve them. The new genius is a collaborative genius. And yet the model of the lone genius persists in how scholars are trained, rewarded, and promoted. Despite all the gestures towards interdisciplinarity, intellectual silos still predominate to a remarkable degree.

Likewise, despite all the rhetoric about global universities, and despite the very important work of the European Community to transform higher education and research in Europe specifically, universities remain remarkably local institutions. Funds are still quite locally procured, audiences and student bodies are still quite locally defined, the nationality of the leadership of universities still largely reflects their location, and scholarly communities still follow the boundaries of the nation state to a remarkable degree. So in many ways universities also are also inward-looking societies. The question then is not just, how can universities resist the inward cultural turn, but how must the university be transformed to meet the challenge of this moment?

My discipline, social anthropology, is a field founded precisely on premise that the encounter with things foreign—unfamiliar cultures, institutions, social practices or ideas—can be a source of transformational insight. The field's core methodology—ethnographic research—is in essence a method for encountering and reflecting scientifically on what is foreign to one's own way of life. As a legal anthropologist, I study how legal experts—lawyers, judges, legal academics, regulators, litigants and so on—deploy legal techniques such as contract, legal fictions etc. to bridge distrust and cultural difference in fields from global financial regulation to international human rights law. Interestingly, in the last ten years I have documented a kind of crisis of confidence among many legal experts in their own expert techniques and tools as legal expertise, and the rule of law itself come under attack.

But today, rather than start with my own research I want to take you back to the foundations of legal anthropology, to the visionary work of the French legal anthropologist Marcel Mauss. Mauss's remarkable text, *Essai sur le Don or The Gift*, published in 1925, emerged out of an extended conversation with legal sociologist G. Davy on the origin and nature of legal contracts. It has inspired generations of work in fields from law to psychology, economics, philosophy theology, and international relations. The reason I raise this name here is that Mauss was writing in a time very similar to our own. A time of Rising authoritarianism, of Turning inward, against religious minorities of which he was one, against foreigners; a time of intense ideological conflict —of crude and extreme forms of Marxism and Capitalism battling it out in the public sphere.

In response, Mauss took a very empirical, practical approach. His project was to return to first principles, culturally speaking, and to rebuild our social fabric from the ground up. And so, in *The Gift*, he asks, What is the most common, basic building block of our ethics—where does any ethics come from? He surveyed all of the ethnological research available at the time, from Melanesian societies to ancient Rome. The most basic, and universal unit, he concluded, is the act of giving something to someone, and then, remarkably, the act of responding to that gift in turn. Reciprocity. All human culture and society flows from this, And also all human ethics: because In exchange of all kinds we recognize the humanity of others. The afterlife of a gift—and in the understanding of legal anthropologists a gift can be anything from an object, to words, to an apology, an act of recognition, the gift of another human being in marriage

or even an act of reciprocal violence—sets in motion a chain of relationships. These quickly become extremely complex. For example generations of legal anthropologists have studied the Melanesian Kula exchange—a robust form of international relations, in which the people of islands hundreds or thousands of miles apart exchange necklaces in one direction and arm bands in another, with a return on one’s gift arriving from an entirely different party sometimes an entire generation later than the original gift. This system of generalized exchange, in which reciprocation is not direct, one to one, but comes from someone else, perhaps at a much later time, is the most sophisticated form of ethics, Mauss said. At its best, our modern legal system enshrines it in the law of contract, or in institutions like the modern income-based tax system or the social security system in which giving and reciprocating is mandated through the state. Mauss says we later come to call this kind of generalized reciprocity Justice.

It is fascinating stuff. But what I want to emphasize today about all this is that the engine of exchange is Foreignness. You can’t give a gift to yourself: you can only give to someone who is in some sense foreign to you. Without foreigners, then, we have no ethics. The foundation of society is the creative, transformative engagement with all that is foreign.

This all sounds beautiful. But how does it really work? Legal anthropologists can show that most of the time something about the symbolic structure of a gift compels us to act in response. What that symbolic structure is has been the subject of generations of

debate too complex for me to go into here. But think of anything you have received in the last week—it could be something as small as someone behind a counter taking time to assist you with a bureaucratic problem, or in the case of my fellow prize winners today a very large sum indeed. Most of the time, we feel we *must* respond. So your gift has a certain power over me.

And what happens when I respond? Gifts carry a piece of the giver with them. The Maori call this the Hau, or spirit, of the gift. So when I accept your gift, you and I are no longer entirely the same. We are intertwined, mixed together—we become in a real sense different persons than we were before by virtue of our exchange. The gift transforms us. We heard Director Aufderheide allude to this when he spoke of the Humboldt family yesterday.

But now lets look at it from the other side, from the perspective of the one who gives. Today we celebrate a tremendous gift from the Humboldt foundation to all of us prize winners. But I suspect all of us in this room have had a chance to give something, big or small, in the past few days. Our colleagues, families and friends assembled here have given of their time and resources to be present with us today for example. But think of any example you like, from a marriage proposal to an offer to negotiate a de-escalation of a nuclear conflict among geopolitical adversaries, or, as I have been exploring in my work on legal and cultural responses to mass wartime atrocities, an act of national or individual apology. First, the gift is an act of courage. You don't know how I will respond. I may reject or ridicule your gift. I may not understand it. I may

waste it or misuse it. I may even use it against you or exploit you through it. We heard Director Aufderheide's beautiful and repeated invocation of trust in his remarks yesterday: We trust that you will continue to do important work, we trust that this gift will allow you to do even greater work. You the giver are in a real sense putting yourself in my hands—you are *vulnerable*.

That is significant in these violent times. As feminist theologian Katherine Schori puts it, Violence begins in the heart that cannot countenance vulnerability. So from the anthropological point of view, debt and dependency is ethical, not problematic. It is the person, nation or institution that thinks it is independent that is dangerous and morally suspect. What it also suggests is that we must think of ethics as both deeply personal and fundamentally collective at the same time. This is true in two ways: We (especially in the US at this moment) know that the personal ethics of our political leaders, their inability to be vulnerable, has a profound impact on our increasingly nationalist politics. But conversely, each individual act of giving, of taking a risk, of vulnerability that compels reciprocity is a political and cultural act of deep collective significance, the lived basis of our collective ethics, and the only way anything ever actually really changes for the better. Generations of anthropological theory has shown in ways that are too complicated for me to explore here how there is real power in the gift, transformative power. The gift is not just action in the world. It is literally world-making.

We are seemingly far afield from the university, and the need to recognize that the genius of our time is a collaborative genius, not an individual one. But scholarly collaboration by definition means working with someone different from oneself--

someone in a different institution, or with differing expertise from one's own, or perhaps with a person in another location, another market, or another culture altogether. In practice, there are almost insurmountable barriers to doing this. Institutions such as universities are not designed or organized to share resources and ideas even across internal units within one university. Scholars have trouble trusting others who speak a different disciplinary language, or have trouble hearing debates even in their own discipline that emerge out of a different intellectual genealogy elsewhere. Barriers of language and culture lead to a lack of interest in, or patience for, the very different points of view that need to be brought together in a successful transnational scholarly collaboration. In response to the criticisms of the lack of accountability of the academy to the public how do we open up the idea incubation process to a wider global community of stakeholders—to devise a more collaborative, democratic process for generating the frameworks and categories for idea generation? This is a question with political, economic, and ethical consequences. It is an institutional question but also a scholarly question. It is a question of cultural imagination.

Too often, we seem to assume that collaboration happens *\*sui generis.\** All the university or the foundation world has to do, it is assumed, is provide funding for collaborative research and people will naturally collaborate. Yet collaboration does *not* just happen *Sui generis*. It is frustrating, difficult, outside of everyone's comfort zone by definition. It is logistically extremely complex. It requires a methodology, and extensive institutional support. And it requires something more still. The research I have just alluded to suggests that if we truly wish to produce more collaboration we will need to

encourage, and educate people to risk something, to make a gift to the Foreigner however that gift, and that foreigner is defined.

Over the past seven years I have been experimenting with bringing legal anthropological insights to bear upon a reimagination of what the university might become. I wish I could say that this was the product of a grand scholarly plan but the truth is that as is so often the case with anthropological innovation, circumstances in the field forced it upon me. In 2011, as I was conducting research among lawyers in the Japanese financial markets, a massive earthquake hit the Tohoku region, followed by a tsunami, and then a terrible nuclear meltdown at the Fukushima Daichi nuclear plant. For the people I studied— leaders in government, the markets and the academy, and, I must admit, for me too, much crumbled on that day along with the retaining walls of that nuclear reactor. It was a painful experience of utter vulnerability. “How could this happen, here, in a country we thought was so technologically advanced, with what we thought were state of the art regulatory systems,” my collaborators asked again and again. “How can it be that we are powerless to contain this disaster, that people are dying in makeshift resettlement camps and we have no answers? What could we have done differently?” And then, “When the next crisis comes, whatever it may be—trade, environmental, political, scientific—what would we hope to do?” As we reflected on this further, our attention focused on the impact of intellectual silos: there had been many voices that had warned of the possibility of accident, but these voices were ignored, either because they came from segments of civil society that had little access to decision-makers or because the tight-knit disciplinary community of academics now

disparaged as the “nuclear village” made little room for knowledge that did not share the fundamental premise that nuclear energy was both safe and necessary. For me I had to recognize that I was no longer just an observer but also a participant: I could not pretend that the university world I represented was not a part of the intellectual, institutional and political configurations that had created and sustained the nuclear village. These difficult and painful conversations—conversations that forced us to confront the limits of our knowledge, the blind spots in our own expertise, and perhaps even the implicit and well-meaning arrogance of our world views led to further questions about what it might take to retool our knowledge (for me, in the academy, for others in the professions or in government).

Putting aside the usual division of labor between a researcher and a research subject, we collaboratively created Meridian 180, “a multilingual platform for policy experimentation + innovation,” to think these questions through. Today, Meridian 180 brings together more than 1,000 policy-makers, industry representatives, academics and representatives of civil society from 39 countries supported by a network of universities, research institutions and think Thanks—in which resources, links to national policy-makers, university presses, and intellectual talent pools are shared across national boundaries. Because we recognize that the problems are transnational, and that there is transformative value in hearing the differences in local variations on global conversations, all conversation takes place in multiple languages.

Let me tell you about just one meeting of this group in Brussels in May 2017 devoted precisely to the problem of inward-looking societies. Although the meeting included numerous expert working groups on specific subjects such as energy policy and security, we also wanted to practice outward – lookingness in our own interactions, to enable people to engage in new ways with people foreign to themselves professionally, culturally, politically or otherwise. We viewed the creation and experience of relationality as a critical response to the issues raised by the conference theme. And so, building on the body of theory I have referenced this evening, we asked each participant to bring an object of personal value that captured their own thinking about the problem of inward looking societies to the event to give away to another. Prior to the event, we asked them to use their cell phones to create a simple one minute statement about the object they had selected, to be shared with others. In asking this, we were taking a risk: we knew this did not sound like the stuff of serious, expert academic conferences. How would participants—experts from the academy, government, and legal fields—respond?

This proved excruciatingly difficult for the participants. A certain number simply refused. For those who did not refuse, they found the act of revealing themselves as persons impacted by current cultural conditions—and not simply as outside analysts or regulators, downright frightening. Vulnerability in gift-giving is a nice idea in the abstract but not so easy in practice! It requires courage and entails real risks. Here is a still from the cell phone video of one participant, a US government official, where you can see that he has literally hidden his face from the camera. For others, letting go of something of value proved to be the greatest challenge. People talked of the surprising

challenge of giving away an object of great emotional value—a family heirloom brought when the family immigrated three generations earlier, a basket purchased on one’s honeymoon, or a medal received in high school, or a ribbon received from activists encountered on a life changing youth backpacking trip. At the same time, people spoke of the way receiving another’s gift, and learning the story behind it, created new obligations and new relations.

Let me share the reflections of one participant, a German international arbitration lawyer practicing and teaching in London. In this recording we hear this individual struggle in personal as well as practical terms with the implications of a policy—Brexit—that also provides the context for much of his professional work. He courageously allows us a glimpse of him as I frankly had never encountered him before—as a vulnerable and unsettled person. This particular legal scholar is a highly regarded expert in complex technical doctrines, whose work reflects a confident view that the technicalities of law and regulation can adequately resolve economic and political dilemmas. Yet in reflecting on the weekend’s experience of giving and receiving he found something very new:

“The challenge of inward looking societies is not to lose the sense of connection with the fellow citizens ...who revolt against cosmopolitan models – [of] trying to take their fears and concerns seriously, looking deeper. These fears might hold a key too much of the problem’s solution: taking them seriously requires purging much of the arrogance and complacency, the ego of cosmopolitanism. Fostering and seeking that connection

and inclusiveness, as well as cultivating the virtues of honesty and knowledge seem, to me, to be the order of the day. What this weekend has changed for me is the realization that trusting more in **intuition** and **empathy** may be the better way of approaching this phenomenon – rather than getting frustrated over the limitations and maybe illusions of any rational approaches.”

With the support of the Anneliese Maier award I am now reflecting on statements like these and writing an ethnography of collaboration based on this experiment. But let me share a few practical implications: the intellectual value of collaboration: it dialogically produces insights that none can produce alone. In particular it produces what I have come to call prospective knowledge, not just retrospective knowledge: the ability to crystallize problems before they become cultural givens and begin to address them.

Second, collaboration is also a set of normative commitments. A serious commitment to personal and institutional empathy, to listening, not just speaking. A curiosity about the world, tethered to a hope that there are new ideas out there you haven't thought of yet. And third, like cultural sensitivity, collaboration is a skill-set to be learned. People are not simply natural collaborators, although some are perhaps more predisposed or more prepared by their backgrounds than others. This means that collaboration requires a pedagogy and it requires opportunities for *practice and for stumbling and even failure*. Most of all, the reciprocity at the heart of collaboration requires taking a risk, as we have seen, and risk taking is possible only in conditions that encourage it—so I would encourage universities to promote an atmosphere of serious play—play is simply the exercise of taking small risks and

learning from both successes and failures in dialogical relation with others. This, in the Maussian tradition, is a concrete, pragmatic, situated and practical response to the inward-looking conditions of our world.

This is exactly the remarkable gift the Humboldt foundation has given to each of us prize winners—the opportunity to engage in some very serious free play, to take a risk, to pursue our ideas for once without defining exactly where we are going and what all the research outcomes will be in advance. What a remarkable gift it is. And what an inspiring risk the Foundation has taken on each of us. So I want to express my deepest thanks to the Humboldt Foundation for the life-changing opportunity *this* gift represents. In return, I can promise only that I will make every effort to replicate it on my own intellectual and institutional terrain—and in so doing to use it to equally impact the lives of others.