

## Re-socialising Finance? Or Dressing it in Mufti? Calculating Alternatives for Cultural Economies

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Someone who sets out to organize a closet arranges the things in it. If you are told not to organize the shoes and shirts, but the closet itself, you would be bewildered. How would you organize the Pacific Ocean? Straighten out its shores, perhaps, or relocate its islands, or destroy its fish. – Donald Davidson, “On the Very Idea of a Conceptual Scheme” (1973:14).

In his utopian appendix to *Spaces of Hope*, David Harvey imagines a new economic geography precipitated by environmental and financial collapse. Currencies play a central role in his story. When central banks attempt to prop up the markets by providing easy credit and liquidity, the result is such high inflation that paper currencies become worthless and “cans of tuna and bags of rice become more legitimate” forms of money than “dollars, yen or euros” (Harvey 2000:259). Pension funds evaporate, along with banks and other financial institutions. The military takes over. Localized oppositional movements form and, though they are put down promptly, somehow they coalesce, rise up, and eventually usher in a world historical era of matriarchially organized hearths and neighbourhoods loosely organized into larger semi-autonomous units and federations. Like Thomas More's *Utopia* a half millennium earlier, Harvey's utopia is characterized by occupational plurality and labor exchanges among and within hearths and neighbourhoods. Trade with other units takes place using a system of labor credits. People can accrue private property, as well, and trade with each other using a computerized barter network derived from twentieth-century local economic trading systems (LETS). At age seventeen, each individual is given an starting balance, an “initial social endowment ... which gives them an initial number of points to begin to trade” (Harvey 2000:267). Money is thus individualized, and is distributed as a point of access to value, recognized as social value. Personal exchanges both reflect and animate the social network subtending economy, polity and sociality itself.

Harvey's imagined monetary future resonates with social experiments and utopian dreams, from Aristotle to Robert Owen and Karl Marx. The economy is made more just – more “real” – when its foundation in actual human labor is brought to the fore and exchange serves human necessity rather than the making of money as an end in itself. The personalized economy replaces abstract,

dehumanising and impersonal markets. This is an awfully familiar story, perhaps because it replicates some very old ideas about the nature of money, wealth, and financial speculation.

Why is it so hard to imagine alternatives to money, value, and the economy? In *Mutual Life, Limited*, I put forward one explanation (Maurer 2005). Existing alternatives like Islamic banking and local currencies take ready-to-hand conventions – the time value of money, the problem of the relationship between a representation and reality, and the recognition that finance is a fiction – and mix them up into unanticipated configurations. They do not stand outside of hegemonic economies or economics but rather short-circuit them from within, or route certain elements of them through other pathways. In doing so, I argued, they resemble social inquiry itself, which takes elements from one domain and explains them in terms of others, making “new” knowledges through unexplored conjunctures of existing ones. Anthropology, after all, does not provide an unmediated view “into” another culture, for the very idea of such a view is predicated on the way Euro-Americans imagine humans to live in groups bounded by their geographies and concepts. Alternative economies, like anthropology, I argued, are a series of experiments with the social significance of the transactions that we imagine stitch together such groups. Alternatives re-stage hegemonic forms of exchange and produce knowledges parallel to those of social analysis. The result is a kind of preemption that both opens up and limits our sense of the possible. On the one hand, alternative economies exploit the gap between representation and reality: they show that there are no *necessary* relationships among social and/or conceptual phenomena and thus expose the arbitrariness and contingency of the everyday. On the other hand, they seem to replicate all the pieces of the hegemonic economy and merely bundle them together differently. The elementary structures of that which exists now thus seem universal or out-of-time.

Alternative economies and alternative economics place anthropologists like myself in an uncomfortable position, because such alternatives are often imagined to be social or cultural economies, either analytically or practically: The cultural turn in theory requires attention to discourse, difference and meaning rather than calculation, rationality or efficiency – send in the anthropologists! They will help us see that the abstractions of finance mask the social networks or recode the cultural commitments of the powerful. This kind of analysis often takes the form of ideological critique. Or, the alternative economies we have discovered (or we are setting out to produce) are culturally or socially inflected – let’s ask the anthropologists how! They know about the gift, multicentric economies, or barter. Some of my disciplinary compatriots are content in these roles, because such roles serve to make a place for anthropology in the creation of oppositional stances toward neoliberalism and in the quest to discover other ways of being in the world.

The problem with both uses of anthropology, however, is the same as that identified by Davidson in the epigraph to this essay, as well as by countless other critical theorists skeptical of the claims of relativism. The moment one imagines incommensurable worlds – the kind of world that would “reorganize the closet itself” rather than the things in it – one has rendered that incommensurability translatable in our own terms. For Marx, this was the problem of internal critique: Marxism could only arise within the horizon of capitalism, for capitalism produced the preconditions for Marxian analysis and for the social forces – the proletarian revolution – it would name. As a result, however, Marxism would not be so good at imagining what came next.

In discussions of alternative and cultural economies, the social or cultural is often offered as a political solution to those who would reorder “the economy,” and the social or cultural is offered as an analytical solution those who would understand “the economy” anew. This convergence is a problem, and it leads to an impasse. The same impasse we see in Harvey’s utopia, which can find no other way of imagining money than LETS, for example. The same impasse we see in the debate between Daniel Miller’s “virtualism” and Michel Callon’s “performative” or actor-network approach to “the economy” (see Miller 2002, Callon 2005), the former, stressing the machinations of powerful people, the latter, emphasizing the materializations of economic ideas.

Hiro Miyazaki (2005:168) offers a related caution specific to the social study of finance. In attending to the materialization of finance theories in economic realities, analysts may miss “other forms of objectification of economic theory,” including the materializations of economic theory in the criticism of scholars like us (he cites Callon, MacKenzie, Carrier and Miller), which is just as much a part of the world we are purportedly describing as finance itself. Our identification of finance as an object of study is in its way another “material effect of finance theory” (p.172), one that does not strictly speaking have anything to do with finance’s calculative agencies except insofar as those agencies generate intellectual interest and, here, constitute fields of inquiry that then “discover” finance and finance theory’s other effects. As Miyazaki summarizes, “what is difficult about economic theory as a subject of ethnographic investigation is not its propensity for abstraction and totalization” but rather its ability to “open and close different materializing potentials of that theory” (p.176). A narrow view of such materializing limits that function to the operations of finance or “the economy” itself. The broad view advocated by Miyazaki (and others) begins with the recognition that our own processes of analytical abstraction, our techniques of generalization and particularization, our own objectification of market rationalities and calculative agencies, are themselves “instance[s] of the materialization of economic theory” (p.177).

Where Miyazaki opens up the performative potentialities of economic theory and abstraction to other domains besides “the economy,” I am interested in opening up the performative possibilities of calculation, and perhaps closing just a little bit our utopian hope in the real and the social/cultural. In short, I believe, we are often too skeptical of the calculative and not skeptical enough of the social.

In the sections that follow, I substantiate this claim through two financial cases: Islamic mortgages, and offshore charitable trusts. Islamic mortgages are products designed to avoid interest, yet this prohibition is the subject of considerable definitional and epistemological controversy, even among those who create, market and purchase Islamic mortgages. One reason for the controversy is that the mathematics often work out the same for an Islamic mortgage as for a conventional interest-based mortgage. But taking this math at face value misses all the other kinds of work effected by calculation and number. Offshore charitable trusts are a way for wealthy individuals to “protect” their assets from state revenue collectors while seeming to do good. They are also a very richly “social” kind of finance, shot through with personal ties, trust, and relationships. Unlike the fictions of finance that occupy so many critics, these arrangements are not particularly complicated and they do not depend upon abstraction. They are resolutely “real” in that they are grounded in and make explicit their sociality. And they have less to do with market exchange than with efforts to avoid payment regimes like taxes.

## Calculation and Sociality in Mufti

In his *Remarks on the Foundations of Mathematics*, Wittgenstein wrote:

I want to say: it is essential to mathematics that its signs are also employed *in mufti*. It is the use outside mathematics, and so the *meaning* of the signs, that makes the sign-game into mathematics. (V, 2; orig. emph.)

This metaphor might be useful for reorienting critical accounts of calculation and sociality. Math signs gain their meaning in their use *in mufti* – in the everyday practice of counting and enumeration – which only subsequently makes mathematics out to be its own, autonomous sign-game. Counting our fingers gives us base ten, which is then good for any number of mathematical operations seemingly independent from those fingers. The approach is naturalist or realist (Lakoff and Nuñez 2001, Maddy 1992) and opens up the question of how we understand the parts that make us wholes. A relativizing gesture would require the evidence of other corporeal systems of counting (Mimica 1988). Yet, as Helen Verran (2001) argues, the relativist move still relies on the particulars that are “found” or “discovered” which obscures “the traffic by which the boundaries are achieved between the general, historical social practices of the foundation [of our inquiry], and the contemporary social practices representing that foundation in the here and now” (Verran 2001:87). Relativism and universalism implicate and allude to each other, cycling through one another and removing themselves from the realm of the “collective goings-on” that constitute worlds (Ibid., 220). These worlds necessarily interpenetrate, too, as demonstrated by their translatability. Positing an alternative form of calculation might rearrange the closet, as it were, but does not reorganize the closet itself.

I have written elsewhere about the way critiques of calculation draw together the equivalence function of modern money with the Simmelian money-as-acid hypothesis – that money flattens social relationships and evacuates all meanings except for the money calculus (Maurer 2006a). Many critics have disputed the Simmel hypothesis and have brought to light the complex uses and meanings of money, its differentiation, its earmarking for special purposes, and so forth (Zelizer 1997). Demonstrating the social meanings and uses of modern, standardized money has become an anthropological microenterprise that is generating interesting insights into the interface between state and local currencies (Akin and Robbins 1999). What interests me here, however, is the particular character of the semiotic argument one finds in much of the anthropological literature on money, best exemplified in the title of Crump’s essay, “Money and Number: The Trojan Horse of Language.” Counting money, an abstract scale for measuring value, spills over into other domains of enumeration as money itself brings ever more objects, entities or activities from those domains into its calculus. The use of the sign of money outside the domain of the limited market for subsistence goods – in Crump’s case – feeds back to warrant the whole sign-game of the economy itself.

The problem here has to do with the theory of the sign. Jane Guyer and Nancy Munn have variously argued that the assumption that money enforces a kind of colonizing quantification misses that quantity is simultaneously a *quality* of things. Guyer argues that, in what she calls “Atlantic Africa,” “number and kind were both scales, among others; none were anchored in a foundational invariant; all were at play” (2004:12). Furthermore the set of scales did “not constitute a cognitive map” but rather a “repertoire, the elements pegged to each other in performance” (p.60). To the cognitive

semiotic model of money and number, therefore, anthropologists like Guyer have turned to a performative and pragmatic model.

In her classic deconstruction of cognitivist accounts of mathematics via Californians' comparisons of quantity and value in the supermarket, Jean Lave argued that anthropologists and psychologists unwittingly (or, often, quite wittingly) held forth a functionalist theory of knowledge when they viewing everyday mathematics as problem solving and culture as a cognitive toolkit. Knowledge was presumed to be "context-free, value-free, body-free and factual" (1988:88); and cultural knowledge mirrored the academic "(professional) mind" in arranging knowledge in discrete and hierarchically nested domains (Ibid.). Her point was not simply that one needed to add the contexts and the bodies in order to come to a better appreciation of the facts. More centrally, she argued that problem solving is not a cognitive operation but an ongoing activity involving "other kinds of concerns" beyond the math problem per se; "relations of quantity are merged (or submerged) into ongoing activity" (p.120). "What motivates problem-solving activity in everyday situations appears to be dilemmas that require resolution," not problems requiring definitive solution (p.139).

The expression *in mufti* sits to one side of this cycle of solution and resolution (to say nothing of the closet!). It is used to describe military officers in civilian garb, or any normally uniformed person in street clothes. But it is more specific than that, and bespeaks a particular colonial history. It mockingly portrays their civilian garb as the ostentations display, verging on buffoonery, of a European stage costume of a mufti (OED). *In mufti* thus does not just mean normal clothing but a presumptuous orientalist native drag that makes a joke out of an actual mufti's authority or equivalence of rank with a European officer. At the same time, of course, a mufti is an Islamic legal interpreter or jurist, derived from the Arabic root 'aFTa, to decide by legal opinion, a moral argument that takes the form of a judgment approximating what is probable according to the will of God, which cannot be definitively known. Such a probabilistic judgment – standing for now, not for all time, nor for infinite extension – is a *fatwa*, from the same root. One may hazard that this probabilistic and casuistic character of *fiqh* or jurisprudence suggested to the European eye an affinity between image of the bombastic off-duty officer and the mufti.

I would like to propose that we allow such probabilistic judgments to occupy center stage and appear in mufti in conceptions of alternative economy and alternative economics. Doing so helps us think about the function of the modifier "alternative" differently – as an alternation in phase over time, rather than as an other outside of or opposed to a dominant formation.

### **Quantification and the Qualities of Islamic Mortgages**

The argument that quantity is a quality and the calculations of finance do not merely materialize the domain of the economic, offered in opposition to cognitivist and functionalist accounts, seems to recapitulate the universalism/relativism duality, especially as the two accounts cycle through one another to reach higher levels of abstraction. It is also a found argument, inasmuch as both approaches can be discovered in financial and other social worlds among variously situated agents and at different moments. Something of this discussion is evident in Islamic finance professionals' and consumers' discussions about the legitimacy of Islamic mortgage products (see Maurer 2006b).

There is an element of being in mufti to these discussions, however, because many involved in these debates mock the mortgages as so much puffery and as *riba* in Islamic dress. Here, I focus on the following conundrum, which Islamic finance experts and consumers continually consider, as well: Why is an Islamic mortgage “Islamic” if the calculation of the payment structure and schedule is identical to that of a conventional, interest-based mortgage? Table 1 presents a hypothetical example of the payment structure of an Islamic and a conventional mortgage. The math – and the payments – work out to be “the same.” What does it say about calculative rationalities when the numbers of Islamic finance seem no different from those of conventional finance? Does it simply confirm their infinite extendibility of calculation itself? How can a cultural study of finance and an “Islamic” finance approach an American Islamic mortgage marketing campaign whose slogan is, “We do not change the math. We change the way we do business?” I will suggest that getting ourselves in mufti and alongside the abstractions of Islamic mortgages helps decompose – at least partially, and momentarily – the serial logic and infinite set of the story of calculability, opening a new materialization of finance along the way, although, like the buffoonish mufti, I will revise this assertion by the end.

Searchlight (a pseudonym) is an American Islamic mortgage company that began business in 2001 and has rapidly achieved market dominance in this sector. Its mortgage replacement product is modeled on a *musharaka* contract from Islamic jurisprudence grafted onto a “declining balance” component. A *musharaka* contract is a co-ownership contract without any specification as to whether or how ownership might change over time. Searchlight and the client enter into a corporate partnership and form a Limited Liability Company (LLC) together. The object of the contract they create is that LLC, not specifically the property the client seeks to purchase. The LLC owns the property, and the company and the client re-calculate their percentage share in the partnership – not the property – over the term of the contract (15, 20 or 30 years). One owner (the “client”) gradually buys out share of the other owner (the “company”). A monthly mark-up is added to the principal payment each month, representing an “administrative fee” and Searchlight’s “profit” from the co-ownership arrangement. Searchlight calls this portion of the monthly payment the “Profit Payment.” The portion of the monthly payment for the client’s additional shares in the LLC it terms the “Acquisition Payment.” The occupant/client is responsible for all applicable property taxes and maintenance costs, as these are considered to benefit the occupant because he/she maintains sole enjoyment of the property.

Searchlight explicitly states that it seeks a Profit Payment that is competitive with interest rates available in the broader home finance market. It also states that its Profit Payments might be linked to an interest rate index (such as LIBOR, the London Interbank Lending Rate). Searchlight interprets a particular hadith to mean that a transaction is permissible even if the benefit it confers is similar to that of a prohibited transaction.

According to Searchlight, the Profit Payment is not technically “interest” since it is not based on the capital Searchlight extends to the client but rather is based on the business partnership that the company establishes with its clients. The reasoning goes something like this: As a business partner in a joint enterprise with the client, Searchlight expects a profit for its services. The chief service it provides, in addition to its administrative expertise, is to permit its partner to the sole use and enjoyment of the house that their partnership owns. It reaps this profit in the form of a mark-up paid by the client. The net result may look quite similar to interest charges. Indeed, Searchlight’s Profit

Payments can be claimed as interest deductions on the client's US federal income tax returns. As Searchlight's promotional material explains, however, "We do not change the math; we change the way we do business."

It is evident to those who create, market and buy Searchlight's mortgage product that the math is the same and that it looks very much like an interest payment, especially when one looks at an amortization table or the structure of an individual monthly payment, to say nothing of the process of completing the paperwork at the initiation of the contract. One way to understand the math would be to claim that although the numbers and calculations are the same, the meanings and/or the referents are different. Those involved in debating and using such contracts recognize this as so much word play, however, leading some to charge that people should "call things by their names," that is, call the Profit Payment "interest" and reveal the bankruptcy of the mortgage in terms of Islamic jurisprudence. In doing so, such people echo arguments about the sign that are found everywhere from Saussurian linguistics to the anthropology of money that automatically interpreted number signs as symbols of calculative rationality. This would be a fine just so story, too. My point is not that it is wrong or inadequate. My point is to identify this convergence as a social fact. It demonstrates a shared semiotic ideology (Keane 2005:191), shared assumptions about what numbers and words are and how they do what they do.

Another way to understand the math (see Table 1), borrowed from Nancy Munn (1992), would be to attend to a different aspect of the semiotic, that which takes *qualities* of objects as bearing significance across any number of such objects. This allows an account of how "entities that are materially different in their qualities, or, minimally, in their spatiotemporal coordinates, count as *the same thing*, without simply reproducing the ... token-type relationship in structuralist linguistics" (Keane 2005:188, orig. emph.; see also Kockelman 2005). Here one would note the *quality* of quantification and take as a question, *not* a given, that the numbers and calculations involved in an Islamic mortgage are "the same" as those of a conventional mortgage.

I want to bring this account of the sign to bear on the very marks on the page. In other words, by what processes do the different ink marks on separate sheets of paper become instances of the same calculative rationality? For whom, in what contexts, and when do they do so or not do so? Opening the question of similitude – asking how it is effected, or becomes an effect – dislodges the semiotic ideology that holds that words must match up with worlds and that supposes that they exist in separate domains to begin with (see Keane 2005:199). Here, this would mean seeing the ink-on-page as bearing the abstract quality of "quantification" before assuming that it is a sign of either abstract or concrete "numbers." One sees the marks and says, "quantification is going on here" without having to specify what is being counted or calculated or whether the ink marks refer to abstract numbers or concrete instances of the counting of things.

The math, in a sense, *cannot* signify according to conventional semiotic ideology. If it were to signify it would, transitively, stand for interest, via the following logic: the math of conventional mortgages is the same as the math of Islamic mortgages; math is always referential; the math of conventional mortgages references interest; therefore the math of Islamic mortgages references interest. Instead, "we don't change the math" could be just as much a statement affirming quantification as quality in an Islamic mortgage as irreducibly the same as quantification as quality in a conventional mortgage without referentiality at all. In other words, the marks on the page in both

instances index “quantification is going on here, the same quantification in each case,” but without specifying any referential claim about what is being counted or calculated. The numbers on the page, the actual inscriptions, may have this effect more than their supposed referentiality to interest payments, principal, or what have you. I am suggesting that – sometimes, at least – the value of an Islamic mortgage as “Islamic” derives from the qualisign of quantification via quantification’s *effects as a quality* rather than its referents.<sup>1</sup> We don’t change the math; we decompose its referentiality, the assumption that it is a linguistic sign that stands for something else. We put the math in mufti.

## Sociality Offshore

What about society? I have become very interested in calls for the financialized world economy to be “socialized” because of recent efforts at the global regulation of offshore financial services through peer review and peer pressure – “soft law” rather than hard sanction (see Maurer, forthcoming; Rawlings 2005; Sharman 2006). When scholars and activists argue for society against finance, they are doing one of four things, sometimes all at once: 1) they are arguing for a sociological account of financial markets to supplement or supplant the economic account (see, e.g., the contributions to Knorr Cetina and Preda 2004); 2) they are arguing for a socialization of the proceeds of finance, through a mechanism like the proposed Tobin Tax on financial transactions, to fund social welfare programs globally; 3) they are arguing for a new kind of financial system that takes account or and/or is thoroughly and durably shot through with society, something like a global LETS system; finally, 4) they are arguing that existing financial systems already partake of #3, self-consciously or not, and that (in the manner of Gibson-Graham 2006) a proliferative economy of financial systems already exists in the world if only we would see it.

All four of these perspectives rather curiously play themselves out offshore. And the way they do so makes me hesitate to embrace such socializations. The offshore world is already self-consciously a “social” world. Private bankers serving high-net worth individuals (HNWIs) talk about their business as a white-gloved affair, trucking in the symbols of interpersonal trust and small, face-to-face networks of rich people (not to put too fine a point on it!). Offshore centers like the Cayman Islands and British Virgin Islands use colonial imagery to play to this. Those who incorporate offshore also sometimes envision themselves as participating in a socialization of finance in the sense of #2, by taking government revenue collectors out of the equation in the name of “freedom” and, often, family. They also do so in terms of an economy of payment and efforts to avoid it, rather than exchange, speculation or arbitrage associated with the market. While there is a market in offshore financial services, those who incorporate offshore often are not so much interested in playing other markets with their money as they are in parking their assets so as to avoid payments in the form of taxes. The offshore regime – at least one important aspect of it – is not a market regime but a payments regime, more akin to the world of feudal tribute than financial investment.

Braithwaite (2001:32) provides the following example, loosely based on an actual case, which I quote at length because it so richly captures the dynamics among profit, payment and debt, as well as charity and obligation:

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<sup>1</sup> *Qualisign* is Charles Peirce’s term for a quality which is a sign, the embodiment of which in a particular entity or instance has no bearing on its character as a sign.

The HWI [High Wealth Individual] has a million dollars in profit. He gets a charitable deduction by donating it to a breast cancer research foundation he sets up in Geneva. The foundation then almost immediately lends it back to the HWI at an exorbitantly high interest rate. This interest rate enables the company that pays it to record a loss that the HWI can then write off against profits in another company he controls. The HWI gets a million dollars back and two tax write-downs: a deduction on the way over to Geneva and a loss he can use to reduce taxes on the way back from Geneva. If he disguises the transactions effectively, it almost certainly won't be detected. If it is, the HWI has reputable people organized to testify that he always fully intended to repay the loan. He can actually do so before the matter goes to trial. The Director of the Breast Cancer Research Foundation will testify that they wanted to use the money well, to wait until a research proposal came along that would really produce a medical breakthrough. But while they were waiting they wanted to put their money to work. They knew that their benefactor, the HWI, knew how to do that better than they. And he was generous enough to pay an above-market interest rate to ensure that all the profits from his investment would be passed back to the Foundation. The Tax Office decides it does not want a case where a judge might vilify it for persecuting a businessman dedicated to such a cause.

Indeed, “charitable trusts” are an important part of the offshore world. Interest earned by a charitable trust offshore cannot be taxed, and the loan back to the high-net worth individual (HNWI) is also tax-free since is now transformed into a “debt.” Here we see how profits earned through exchange or other methods can, via gifts and debt payments, end up circumventing tax payments, and can discursively invoke a rhetoric of charitable obligation to obviate obligations to the state or society at large.

Global efforts to regulate offshore finance in the late 1990s took the form of using “society” to do the work of law. In this formulation, “society” took the form of global institutions and global forums for debate among states, non-state actors, and “civil society.” Multilateral agencies like the Organization for Economic Cooperation and Development and nongovernmental organizations like Oxfam sought to spotlight the damage done to social welfare programs funded by tax revenues by so-called “tax competition.” Their initiatives relied on consensus-building, norm creation and peer pressure through “blacklists” of tax havens. These initiatives were thus doubly “social:” first, in that they operated according to mechanisms presumed by their participants to be social in nature rather than the effect of power politics or economic interest: peer review, peer consultation and consensus building. And second, in that the initiatives were aimed at redressing a harm done to the fiscal standing of social welfare provision by states. Opening the door to such “socially”-oriented arguments and mechanisms, however, also meant inviting offshore jurisdictions to the deliberative table. The result, over time, was a discursive and practical shift away from “tax competition” and toward the notion of a “level playing field”: offshore jurisdictions succeed in shifting the focus to the fact that OECD countries themselves permit practices that would be deemed noncompliant offshore (for example, anonymous beneficial corporate ownership, permitted in several states in the United States). The discourse on fairness highlighted the neocolonial undertones of the “blacklists,” as well, for it was former colonial powers with financial and military might that were targeting small, postcolonial nations and island dependencies, after all (for an extended discussion, see Sharman 2006; Maurer, forthcoming).

Oh, if only the offshore world were *less* social! And if only the regulatory effort involved some good calculative rationalities like various forms of quantitative risk analysis or even criminological profiling instead of social relations!

### **Cultural Economy in Mufti**

Consider the following fatwa, from the Citi Islamic Investment Bank Shari'ah Board, to authorize a *sukuk* or Islamic bond offering of the Bahrain Monetary Authority. In finding that the *sukuk* structure is "acceptable within the principles of Shari'ah" the Board also made the following series of caveats:

The Shari'ah Board also took into consideration (i) the legal constraints under which this product is being developed; (ii) the need to further develop the emerging Islamic finance industry as an alternative and viable financing system; (iii) the need to facilitate and bring ease to the Islamic financial institutions and others who are determined to raise financing according to Shari'ah principles; (iv) the various existing constraints and restrictions imposed under the various conventional financing techniques available in many Muslim countries; and (v) the prevailing conditions and affairs of the Ummah and the need to remove them from the shackles of *riba*.

Its comment did not go unnoticed by others in the field. In a posting to an Islamic banking internet listserv, one commentator noted, after quoting the same paragraph:

So, in other words, these man-made financial structures should not be above criticism. They are very much flawed and in need of improvements. If the potential investor takes them to be too much like *riba*, then they are just that – *ribawi*.

Taking the approach of allowing them for practicality, and explaining that this was exactly the approach taken, seems to me the most humble and honest approach possible (this you may disagree with--but banking is a marriage of convenience between the purity of finance/economics with the messy practicalities of law, regulation, risk management and excel spreadsheets). We cannot hold the structures up to be the pillar of sound canonical reasoning, but rather an attempt to get closer to what can only be achieved through more hard work, changes in legal systems and similar, and probably more importantly in changes in the thinking of investors and issuers who would not invest in them or issue them unless they retained all the conventional *ribawi* features.

Now, consider the following insight from Jean Lave's *Cognition in Practice*:

[P]ersons-acting and settings, in activity, together generate dilemmas and resolution shapes. Moreover, they do so simultaneously. Very often a process of resolution occurs in the setting with the enactment of the problem, and it may transform the problem for the solver. These relations are ... generative and dialectical in nature (1988:169).

What I have done in this essay is to set the semiotic approaches to money and finance against other semiotic ideologies that allow for other kinds of signs and signifying relationships and qualities (such as that offered by the concept of the qualisign). I have also set the performative and pragmatist approaches to money and finance against work that suggests other sorts of performative effects, such as Miyazaki's account of the multiple materializations of finance theory "outside" the economy. It is as if "I now pronounce you man and wife" changed neither party's status but instead effected a leasing contract between two *other* agents, *elsewhere*, in a pragmatic yet open-ended fashion. Lave, like the fatwa and its commentary, suggests a similarly open-ended, revisable knowledge form to address everyday provisional problem "resolutions" rather than definitive solutions.

Can we say that these attempts to generate and justify a knowledge claim are any more or less "the same" as the numbers and calculations on Table 1? One is tempted to find a correspondence here that would warrant a truth claim. But in which direction? Is the fatwa and its commentary subordinate to Lave's analysis, and serve as evidence to prove its conclusions? Or does Lave serve as evidence to prove the probabilistic nature of human attempts to approximate the will of God?

One could say that as such both the fatwa and its commentary and Lave all demonstrate the universalist abstractions of modernity's calculative rationality. Not only are the relativist and universalist positions cycling through each other and thereby warranting the foundations undergirding them each, as Verran would have it. So, too, positions arguing for open-ended, contingent or emergent complexity cycle back and forth between such foundationalist accounts at a higher level of abstraction.

Let's put this all in mufti, however. Remember that, for some people, and sometimes, and according to some calculations, the numbers in Table 1 do refer to interest, plan and simple, and the operations of jurisprudence are dismissed as puffery and pontification. If I have emphasized argument in favor of the Islamicity of Islamic mortgages it is only because, in getting myself up in mufti, I can better appreciate the arguments of those against it, which go relatively unsaid in this essay. In mufti, I can sense the ridiculousness of my own position: straightforwardly Byzantine.

But I do not want to dismiss that position simply because of that, for this essay, pace Miyazaki, is a part of the emergent complexity it seeks to discover. Offering an argument for a non-iterative infinity – one that admits the material impossibility of continued serial iteration and denies the ellipsis in "1, 2, 3, ..." (e.g., Rotman 1997) – might leave us in much the same place as Lave and the fatwa, with a cycle between knowledge forms on yet another level of abstraction. Offering an argument for treating goings-on in parallel, rather than serially, might interrupt the notion of infinite extendibility over all things, but only long enough to set another abstract trap.

Trying to tell other stories – not necessarily to "think different" but to throw oneself into the practical activity of a story-telling that demands resolution simply because it demands a momentary pause (not an end, *per se*) – might mean simply considering the possibilities that the calculations and abstractions, and their presumed alters in society and culture, may have any number of effects, even non-countable or a-social ones that escape these logics altogether.

In addition to attempting to soften some of the antinomies that characterize academic and activist debate around alternative economies, this essay has suggested an attitude of pragmatic open-

endedness toward the definitions and domains that come under the sign of the economic. With Keith Hart (2007), I am concerned that scholars and activists alike too often discard the baby with the bathwater: in trying to recuperate a social economy or a personal money, like Harvey's LETS in some future utopia, we cast aside the unanticipated potential (and, indeed, the necessity) of abstract, calculative agencies and impersonal institutions and moneys. Hart writes:

Money's significance thus lies in the synthesis it promotes of impersonal abstraction and personal meaning, objectification and subjectivity, analytical reason and synthetic narrative. Its social power comes from the fluency of its mediation between infinite potential and finite determination (Hart 2007:15).

But it may take more to realise the pragmatic relationships among personal and impersonal, social and calculative than performativity or the analysis of power. It may also require the very serious play that can only take place in mufti.

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