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In Praise of Liberty and Mutual Aid: A short review of *The Dawn of Everything: A New History of Humanity*, by David Graeber and David Wengrow (Farrar, Strauss, and Giroux, 2021).

By Peter d'Errico *

The Dawn of Everything, a “new history of humanity” by David Graeber and David Wengrow, an anthropology and archaeology research team, joins a burgeoning global awareness that life on Earth is in social and ecological crisis and that the crisis is tied to the system of industrial state corporate society. The book’s contribution is to help us understand why we are having a difficult time figuring a way out of the mess. The reason, they say, is that our thinking is trapped by belief in the story that modern corporate state society is the end state of human evolution, the inevitable result of “progress” from “barbarism” to “civilization.” The obstacle to thinking of alternatives to the current organization of society is a belief that there is no alternative to this organization.

This belief dominates received opinion. Francis Fukuyama, in the heady days of US self-congratulation after the collapse of the Soviet Union, said we are at the “end of history.” Recently, even as ecological data confirmed that the current social system is problematic, Jared Diamond persists in promoting the view that it is “unrealistic,” because of “biogeographical” factors, to expect to live without “kings, presidents, and bureaucrats” except in “some tiny band or tribe.” He insists on this limiting view even though the event he presumes caused the dilemma, the so-called “agricultural revolution,” is “the worst mistake in the history of the human race.” If we believe received wisdom, we can only conclude there is no way out of a world out of balance.

Speaking of Fukuyama and Diamond, Graeber and Wengrow say, “The truly remarkable thing is that, despite the self-assured tone, such pronouncements are not actually based on any kind of scientific evidence.... There is simply no reason to believe that small-scale groups are especially likely to be egalitarian—or, conversely, that large ones must necessarily have kings, presidents or even bureaucracies.” Notions of a “necessary” human evolution from small-scale egalitarian to large-scale hierarchical societies “are just so many prejudices dressed up as facts, or...laws of history.”

The Dawn of Everything is a riposte to received wisdom. But *The Dawn* is not a polemic. It is a detailed survey of scientific data about ancient human civilizations from archaeological and anthropological investigations that have only recently become possible (archaeobotany, DNA analysis, “statistical frequencies of health indicators from ancient burials,” etc.). The conclusions they draw from this data are directed against all stories of irreversible historical inevitability, those derived from Rousseau’s notion of an original human egalitarianism ruined by the “agricultural revolution” and those tied to Hobbes’s proposition of an original “nasty, brutish” humanity rescued by “sovereign government.” *The Dawn* rejects both versions on the grounds that they “simply aren’t true; have dire political implications; [and] make the past needlessly dull.”

These three analytical categories shape the authors’ overall approach and tone of the book: First, occupying the greatest portion of the book, is the scientific data; second are discussions of political implications of various readings of history; third are speculations aimed to enliven our “sense of human possibility.” The authors suggest that our “future now hinges on our capacity to create something different” and they ask a question to motivate readers through the nearly 700 pages of text: “What if, instead of ...[repeating the conventional story], we ask

how we came to be trapped in such tight conceptual shackles that we can no longer even imagine the possibility of reinventing ourselves?”



The book’s opening salvo is, “Most people rarely think about the broad sweep of human history anyway.” The authors then declare their intention to go where most people don’t go, to take up “the sort of grand dialogue about human history that was once quite common.” In fact, as the authors quickly make clear, lots of people do talk about human history, “from industrial psychologists to revolutionary theorists...[to] popular writers.” The problem, they say, is that the talk generally shares the same “foundational story... the prevalent ‘big picture’ of history [that]...has almost nothing to do with the facts.” They embark on the task of backing up their assertion by exposing the ethnographic and historical assumptions incorporated into the dominant story of human evolution to state-of-the-art scientific work. The result, they promise, will not simply be a catalog of new data, but “a conceptual shift” in thinking about the “notion of social evolution,” a shift “retracing...the idea that human societies could be arranged according to stages of development...hunter-gatherers, farmers, urban-industrial society, and so on.”

Ursula Le Guin [“Books Aren’t Just Commodities” (National Book Awards Speech, 2014)] also reminded us of human possibility and the power of conceptual shifts to motivate historical change: “We live in capitalism, its power seems inescapable – but then, so did the divine right of kings. Any human power can be resisted and changed by human beings. Resistance and change often begin in art. Very often in our art, the art of words.”



I approached *The Dawn of Everything* with a view to bolster my own work studying Indigenous peoples' legal issues, a field I've been working for more than 50 years. From that perspective, rooted in scholarly study and personal experience, I long ago realized the falsity of the Anglo-European proclamation of civilizational superiority. I wasn't looking for "proof" that Indigenous peoples of the past built sophisticated societies and grappled with complicated social problems. I understood that Indigenous perspectives about human society today offer valuable alternatives to the political economy of industrial extraction and "wealth production." I knew Rousseau's "noble savage" and Hobbes's "brute" were efforts to bracket and come to terms with evidence of alternative modes of human existence from the "New World." I had already done what Graeber and Wengrow decide to do: "To move away from European thinkers like Rousseau entirely and instead consider perspectives that derive from those indigenous thinkers who ultimately inspired them."

The authors' core thesis is that the story of a "necessary" human evolution from "barbaric tribes" to "civilized states" was produced by European writers to rationalize the great differences between their societies and the societies "discovered" in the "New World." *The Dawn* refers to this process as Europeans responding to the "Indigenous critique," ideas put forward by Indigenous people criticizing European Christian civilization. The most significant reports of the Indigenous critique were provided by Jesuits and other missionaries in the Northeast Woodlands region: That Native peoples are very generous with one another, that there's no one who goes hungry within their communities unless everyone is hungry, that there are no beggars within their communities and no jails. The reports also noted that Indigenous chiefs only have authority in as far as they're eloquent, and that no one will do anything when ordered to do so unless they

find it agreeable. Scandalized missionaries reported that Indigenous women had full control over their bodies; colonial authorities noted that women often took part in Indigenous governance.

Public figures in Europe directly encountered the Indigenous critique from Natives visiting Paris, London, and other cities, who saw beggars in the streets and attributed this to a lack of charity on the part of the Europeans, condemning them for it. The contrasts between European hierarchy and domination, selfishness and greed, and the way of life of Indigenous peoples had a profound impact in Western thinking and was one of the major streams of thought flowing into the Enlightenment.

In a nutshell, *The Dawn of Everything* says the theory of human evolution from “barbarism to civilization” was developed specifically to defend European feudal societies against the overall Indigenous critique. Europeans were shaken by the unmistakable openness and fluidity of Northeast Woodlands Indigenous societies and the paradoxical (to Europeans) combination of Indigenous insistence on individual autonomy with an equally strong insistence on group solidarity. The central theme of the European arguments was that individual autonomy and self-determined group cohesion were viable only among “primitive” peoples and had to be abandoned as humans “evolved.” Followers of Rousseau and Hobbes alike argued that “advanced civilization” was “necessary” in human “development” and that the life of “tribes” was doomed by this necessary “progress.”

The Dawn notes that Europeans did not perceive such dangerous ideas from the Aztec and Inca, whose urban civilizations and empires rivalled Europe. Neither did they bother to figure out how their theory of “human progress” could explain such “advanced” Indigenous societies. The only explanation they needed to combat such peoples was the “heathen and

infidel” argument that, with religious notes, also composed a hierarchical scale putting European Christendom at the top.

The eventual outgrowth of European defense against the Indigenous critique produced a combination of “human evolution” and the doctrine of a “right of Christian discovery,” a combination adopted into US law in 1823 by the Supreme Court decision in *Johnson v. McIntosh*. Justice Joseph Story [*Commentaries on the Constitution of the United States* (1833)] characterized that decision as “...the title of the Indians was not treated as a right of propriety and dominion; but as a mere right of occupancy. As infidels, heathen, and savages, they were not allowed to possess the prerogatives belonging to absolute, sovereign and independent nations. ... The territory, over which they wandered, and which they used for their temporary and fugitive purposes, was, in respect to Christians, deemed, as if it were inhabited only by brute animals.” (Not surprisingly, “Christian discovery” originated as a Portuguese “right” to the African slave trade in 1452.)

That doctrine and the “evolution” story remain dominant at the legal foundation of contemporary US claims of inevitable supremacy. Recent examples include *City of Sherrill v. Oneida Nation* (2005), where Justice Ruth Bader Ginsburg said: “Under the 'doctrine of discovery,' ...fee title to the lands occupied by Indians when the colonists arrived became vested in the sovereign—first the discovering European nation and later the original States and the United States....” [she denied Oneida land ownership]; and *McGirt v. Oklahoma* (2020), where Justice Neil Gorsuch said Congress has “authority to breach its own promises and treaties” with Native nations, based on “Christian discovery” precedents [he said Congress had not done this yet with the Creek Nation, but “remains free to ...[do so] at any time”].

Indigenous critique also persists in the 21st century, including: *Idle No More* (founded 2012)— Led by women, with a call for “refounded nation-to-nation relations... a movement for Indigenous rights and the protection of land, water, and sky”; *Independent Lakota Nation Declaration on Lakota Nationhood and the Dakota Access Pipeline Conflict* (2016)— “We do not recognize United States or state permits to gather, pray, or otherwise demonstrate our cultural, social, and political institutions on our own aboriginal lands”; *Yakama Nation amicus* in *Washington State v. Cougar Den* (2018)—“The Court should expressly repudiate the doctrine [of Christian discovery] and instead rely on the Yakama Treaty”; *Manoomin, et.al., v. Minnesota Department of Natural Resources, et.al.* (Case No. GC21-0428 in White Earth Tribal Court, 2021)—“an action for declaratory and injunctive relief to declare Manoomin, or wild rice, within all the Chippewa ceded territories is protected and possesses inherent rights to exist, flourish, regenerate, and evolve, as well as inherent rights to restoration, recovery, and preservation.”

In short, the 16th century dynamic cited at the core of *The Dawn* remains active in the 21st century, providing global humanity with the same opportunity and challenge that faced Christian European colonial powers: to shape human societies harmoniously and sustainably.



Even as apparently “simple” Indigenous societies befuddled and disturbed European intellectuals, they attracted on-the-ground colonists. James Axtell [*The Invasion within: The Contest of Cultures in Colonial North America* (1985)] summarizes what colonists said about their experiences living among Native peoples: “They found Indian life to express a strong sense of community, abundant love, and uncommon integrity...[as well as] social equality, mobility, adventure...the most perfect freedom, ... ease of living, the absence of...corroding solitudes....”

The record of contacts between colonial invaders and Native peoples illustrates what Axtell and *The Dawn* say: The Puritans, for example, were embarrassed by the fact so many of their kind fled to the “Indians,” while so few Natives wanted to adopt the Puritan world. Sebastian Junger [*Tribe: On Homecoming and Belonging* (2016)], like Graeber and Wengrow, quotes Benjamin Franklin bemoaning that white captives “liberated from the Indians” and returned to “stay among the English...take the first good opportunity of escaping again” to their Native communities. On the other hand, Franklin said, “When an Indian child has been brought up among us...if he goes to see his relations...there is no persuading him ever to return.” Junger recounted that when Colonel Henri Bouquet, a Swiss mercenary under British General Jeffrey Amherst, attacked Odawa Chief Pontiac's forces (after delivering smallpox-infected blankets to Fort Pitt [see d’Errico, “Amherst and Smallpox” http://people.umass.edu/derrico/amherst/lord_jeff.html (2001, 2020)]) and demanded return of white captives, Native families had to bind those people and forcibly bring them in. Many later escaped and returned to their Native communities.

Junger, echoing Axtell, says colonials gravitated to the “intensely communal nature” of Indian life: Not only the “rough frontiersmen,” as he puts it, but also “the sons and daughters of Europe” were drawn to the natural sociability of Indian life, even as against “the material benefits of Western civilization.” He quotes French immigrant writer Hector Saint John de Crèvecoeur, saying, “Thousands of Europeans are Indians, and we have no examples of even one of those Aborigines having from choice become European. There must be in their social bond something singularly captivating and far superior to anything to be boasted of among us.”

Graeber and Wengrow launch their book against this background: “Revisiting [the encounters of Indigenous peoples and Europeans]...has startling implications for how we make

sense of the past today, including the origins of farming, property, cities, democracy, slavery and civilization itself.” They suggest that “The ultimate question of human history...is not our equal access to material resources..., much though these things are obviously important, but our equal capacity to contribute to decisions about how to live together.” Contemporary diatribes against “tribal politics” in the US have forgotten this long-existing perspective that “tribal” life is more humane than state civilization.



European efforts to counter the Indigenous critique and neutralize its threat, combining the “human evolution” story and religious theory, ultimately merged into a field of “natural law,” a domain of thought explicitly triggered by debates about the moral and legal implications of European Christianity’s “discovery” of the “New World.” The core debate focused on the question: What “rights” do humans have even if they exist in a “state of nature” ignorant of “revealed religion”? The answer, generally, was that they have some rights, but that these are inferior to the rights of civilized (read, European Christian) humans.

The argument in *Dawn* only touches on the development of “international law” from these natural law origins. That history is told by Carl Schmitt [*The Nomos of the Earth in the International Law of the Jus Publicum Europaeum* (1950; trans. 2003)] and will be helpful to recap here: Schmitt says, “The traditional Eurocentric order of international law...arose from a legendary and unforeseen discovery of a new world.... The Age of Discovery, when the earth first was encompassed and measured by the global consciousness of European peoples...resulted in ...a Eurocentric international law: the *jus publicum Europaeum*. ...Its *nomos* was determined by the following divisions. The soil of non-Christian, heathen peoples was Christian missionary territory; it could be allocated by papal order to a Christian prince for a Christian mission. ...

European international law considered Christian nations to be the creators and representatives of an order applicable to the whole earth. The term ‘European’ meant the normal status that set the standard for the non-European part of the earth. *Civilization* was synonymous with *European civilization*. ... The first question in international law was whether the lands of non-Christian, non-European peoples...were at such a low stage of civilization that they could become objects of organization by peoples at a higher stage.”

Schmitt has this to say when he focuses specifically on the claim of “a right of Christian discovery”: “The meaning of the legal title ‘discovery’ lay in an appeal to the historically higher position of the discoverer *vis-à-vis* the discovered. This position differed with respect to American Indians, and other non-Christian peoples, such as Arabs, Turks, and Jews.... From the standpoint of the discovered, discovery as such was never legal. Neither Columbus nor any other discoverer appeared with an entry visa issued by the discovered princes.”

In the same vein that Graeber and Wengrow decry the absence of questioning of all this, Schmitt says, “Jurists ...have in view...only the system of a specific state legality. They are content to reject as ‘unjuridical’ the question of what processes established this order.”



We might expect that *The Dawn*’s thesis will be rejected by many commentators. After all, contemporary edifices of power, whether in academia, media, corporations, or statehouses, is dependent on public belief in the inevitability of the edifice; more, a fear that the absence of the edifice would mean a loss of “quality of life.” Nevertheless, a quick rejection is not viable. Proper evaluation of the thesis requires engagement with nearly 700 pages of information from the most recent scientific work related to human history. I will point readers to the book itself for

that task and close my review with a comment about anarchy, which some may assume must be the underlying philosophy of *The Dawn*, especially because Graeber was known as an anarchist.

The dominant story of “human evolution,” to which mass society and professional commentators seem equally wed, has no room for anarchism. Liberty and mutual aid are either gone forever or limited to their bureaucratic manifestations in the “welfare state.” Anything else is said to be wishful thinking, hopelessly naïve, even “anarchy.”

If it be anarchism to challenge the received (and celebrated) story of inevitable statist domination of human life, so be it. On the other hand, *anarchism* is not the same as *anarchy*. Specifically, anarchism is “a political theory advocating the abolition of hierarchical government and the organization of society on a voluntary, cooperative basis without recourse to force or compulsion”; anarchy is “a state of disorder due to absence or nonrecognition of authority or other controlling systems.” Anarchism not only comprehends social order but celebrates such order that arises from and is compatible with liberty and mutual aid. One need not be a Marxist to embrace these values; Friedrich Hayek did also. To explore the significance of that coincidence requires more than I can do here.

Suffice it to say, quoting Carl Schmitt again, “Anarchy is not the worst scenario. Anarchy and law are not mutually exclusive. The right of resistance and self-defense can be good law, whereas a series of statutes shattering every notion of resistance and self-defense, or a system of norms and sanctions suppressing anyone who proposes resistance and self-defense can presage a dreadful nihilistic destruction of all law.”

I have long been fond of a remark by Professor Grant Gilmore [*The Ages of American Law* (1977)], who, to my loss, left Yale Law School as I was entering, and I close with it:

“Law reflects, but in no sense determines the moral worth of a society.... The better the society, the less law there will be. In Heaven, there will be no law, and the lion will lie down with the lamb.... The worse the society, the more law there will be. In Hell, there will be nothing but law, and due process will be meticulously observed.”