Introduction

Giuseppe Eusepi and Alan Hamlin

As the title suggests, our intent in this volume is to give an account of the theoretical endeavours of those who seek to construct an approach to the analysis of political decision making that derives largely from economic theory but also recognizes and incorporates other areas of inquiry such as philosophy, more traditional political theory and psychology. This volume thus presents a critical examination of themes relevant to both human behaviour and economic and political institutions. But it offers more than a critique of the inadequacies underlying the conventional economic approach; it also offers a state-of-the-art tour of new paradigms challenging the dominant economic notion of the individual.

These issues are discussed in eight chapters by contributors from different academic backgrounds and covering topics conspicuously absent from conventional texts. But a further aspect of this collection is revealed by inspection of the set of contributors. While all are key actors in their own areas, an important fact that unites them is that they have all been Geoffrey Brennan's co-authors, and their chapters draw fresh attention to the topics and issues that characterize Brennan's intellectual development. Brennan was not the first in the Public Choice tradition to build links between economics, politics, philosophy and ethics. However, his work, and that of his co-authors, has been very influential in a number of areas and particularly in exploring our understanding of the limits of rational behaviour in political settings. This volume celebrates and plays tribute to that contribution.

Much space could be occupied in depicting Geoff Brennan's non-conventionality – not only as an economist choosing to write on subjects and using methods outside the mainstream of his discipline, but also as a person. Those who know Geoff would recognize him as a colourful and gregarious character. An economist, a semi-professional singer, and a philosopher *de facto*, Geoff is always willing to engage with debate regardless of its disciplinary origins and is always able to drive a point home with apt arguments and illustrations deriving from his multifaceted knowledge, but also with humour.

Brennan has been concerned to understand how ideas develop in order to add new dimensions to the mind-set of public choice scholars. While, in

its early years, public choice was itself very much the challenger to the prevailing orthodoxy, its success in entering the mainstream of both economics and politics has led to a new orthodoxy. Much of Geoff's work can be seen as continuing to challenge that emerging orthodoxy and expand the understanding of rational actor political theory. For example, in respect of methodological individualism, the standard public choice reference for methodological individualism is James Buchanan – who used it as the lens through which to analyse individuals' political behaviour. And even those who are hostile to such an epistemological tool have to admit the impact of the idea. But Buchanan's achievement is the starting point for Brennan, who has been concerned to refine and extend the idea of the individual that lies within the typical assumption of 'methodological individualism'. He assumes that the individual is an intellectual construction emanating from self-evaluation before being the elementary decision-making unit of external choice. So, the internal elements of the individual beyond the standard notions of desires and beliefs are the focus of considerable attention. Self-esteem is, for Brennan, a great shaping force for the individual, and internal commitments or dispositions further extend the structure of the individual's internal constitution. Brennan's innovation, which underpins his novel view of individual behaviour in both economic and political spheres, challenges the structure of methodological individualism as we normally conceive it.

If one were to provide a bold outline of the essence of Brennan's scholarship no expression could be more appropriate than 'compound symmetry' – a phrase that suggests both the complexity of the individual and the need to view that complexity symmetrically when considering different social contexts. Although he is completely at one with the view that sees individuals largely driven by egoism when choosing in the marketplace, such egoism is however only one component of the individual, one that is nuanced by, among other things, emotional relations to his fellow men, harking back to Adam Smith's notion of 'sympathy'. Brennan's individualism therefore mediates between egoism and sympathy. An individual is a composite consisting of several component motivations, to isolate any one is to commit an act of abstraction; they condition and qualify one another in ways that may yield rather different behaviours depending on the context. The notion of an individual wearing two hats: one of pure egoism for market choices, another of pure altruism for political choices is, for Brennan, a false opposition; the two perspectives must be fused into a whole. Yet, for Brennan, this is not simply a matter of coherence or internal consistency. It is deeply rooted in an approach to morality. Two components stand out in Brennan's work: limited rationality that goes well beyond likely conflicts of interest; and the moral need for a universal rule purged of all marks of discrimination, a rule

that is valid for all individuals. Interestingly enough, whether Brennan acknowledges it or not (Brennan et al., 2001), this sort of nuanced Kantian categorical imperative is somewhat akin to Buchanan's 'relatively absolute absolutes'. It is exactly these 'relatively absolute absolutes' that are the hallmark of the body of contractarian morality wherein the universal does not stand for eternal inalterability or 'absolutely absolute absolutes'. Since this kind of morality springs out of consensus, it is in principle binding on all contracting parties but is open to renegotiation – at least in principle.

A vivid example of the 'single-hat' approach can be found in *Democracy and Decision* (1993), written with Loren Lomasky, which marks a crucial turning point in departing from traditional analysis in public choice. With respect to electoral politics, Brennan and Lomasky charge that orthodox public choice theory places undue emphasis on the interest-based theory of voting behaviour. They develop the concept of expressive voting, and reach the conclusion that electoral choice and market choice are radically different, but for reasons that stem from an integrated view of the rational individuals involved in both forms of choice.

Over the course of his career to date, Geoff Brennan has written on a wide range of topics only some of which are reflected in the chapters of this book. However, the broad themes of his work – the challenge to the conventional, the emphasis on the rich internal structure of the individual, and the focus on the complex interactions between individuals and institutions are reflected here.

The first part, 'Building democracy: aspects of voting and vigilance', opens with a chapter by Alan Hamlin entitled 'Political dispositions and dispositional politics' which builds on recent joint work with Geoff Brennan in arguing for a dispositional account of aspects of individual motivation. This chapter tackles the idea of a dispositional account of political motivation directly to clarify and extend the discussion of the nature of a disposition; suggest a typology of dispositions; discuss the relationship between dispositions, desires and beliefs; comment of the importance of dispositions in political settings; and say something about the case of multiple dispositions. The chapter also includes a discussion of the relationship between the idea of dispositional motivation and the idea of expressive motivation.

In Chapter 2, 'Expressive voting: how special interests enlist their victims as political allies', J.R. Clark and Dwight R. Lee pick up the theme of expressive motivation in voting and introduce interest groups into the analysis. Interest groups act instrumentally and Clark and Lee argue that sophisticated interest groups will pitch their communication with individuals on the basis of an understanding of the distinction between their interest and their expressive concerns. Thus, encouragement of expressive voting by interest

groups may be the first step in victimizing members of the general public. In effect, voters are enlisted as political allies of those who seek to exploit their expressive concerns. Nevertheless, Clark and Lee conclude that expressive voting can provide voters with their best hope for imposing discipline on their political agents.

In Chapter 3, Giuseppe Eusepi tackles the fundamental question of *quis custodiet ipsos custodes* in his chapter entitled 'Who shall keep the keepers themselves? On the moral foundations of the separation of powers'. The author argues that the classic problem is typical of separated powers and alien to either anarchy or absolutism. Careful attention is paid to how the institutional environment moulds the different guises the problem might have. Drawing upon work by Geoff Brennan, the author elaborates the concept of compound symmetry. Eusepi's portrait of constitutional courts reveals how difficult it is to have a third party as the ultimate guardian or keeper. He attempts to demystify the role of constitutional courts in Western democracies, and provides a reply to the often-asked question: 'Is the constitutional court, which has been empowered to keep the keepers, an impartial institution that prevents dictatorial solutions?' To answer this question he focuses on the Italian Constitutional Court and shows how the body that was originally designated to control the government ends up by making the *quis custodiet ipsos custodes* problem a perennial one. He concludes by suggesting the possible devices that can be introduced to limit rent-seeking activities by the government and the measures to be put in place to prevent the judges of the Court from behaving as informal agents of the government.

Part I ends with a chapter by Gordon Tullock entitled 'A bouquet of democracies'. Here Tullock displays his range as a historian of ancient and modern democracies to illustrate the variety of practices that fall within the scope of democracy. In his view, democracy is not a specific type or form of government, but a collection or bouquet of types with rather different characteristics. Such a bouquet includes, for example, countries in which voting is compulsory (as in Australia) as well as countries in which voting is a right but not a duty. Compulsory voting ensures that the voting majority is also descriptive of the real majority, but compulsion may also have impacts on how well informed voting might be. There is similar variety in a number of other areas – for example the nature and extent of the franchise. Though admitting that in countries where citizens are legally required to vote the outcome reflects more faithfully voters' preferences than that achieved in those countries where voting is voluntary, Tullock argues that compulsory voting may be perceived as oppressive. After considering a variety of democracies, Tullock finally addresses the important question of whether organizations such as the United Nations can be seen as democratic institutions. Here he argues that the UN cannot be defined as a

democratic institution since votes are cast by governments, which in the majority of cases are themselves not democratic, and not by citizens.

The second part of the collection, 'Searching for stability in democracy', opens with Chapter 5 by James M. Buchanan and Yong J. Yoon, entitled 'Subjective evaluation of alternatives in individual voting choice'. For the authors, the individual's primitive preference ordering is the benchmark and base of the conventional analysis of voting behaviour. In market exchange, maximizing behaviour implies that choices mirror this preference ordering. In collective choice contexts, such as voting, this linkage is not present. The ability of the individual to order differences, a property of subjective cardinal utility, does not add explanatory power to market behaviour. Such ability becomes relevant, however, in explaining individual behaviour in collective or political settings. The argument is focussed on demonstrating that disconnects emerge between primitive orderings and revealed voting when the individual is acknowledged to be able to order differences and to make predictions about the voting behaviour of others. The authors criticize the cardinal version of utilitarian theory that has dominated economic analysis before Robbins, and as revived by the 'new' welfare economics. In developing their criticism, Buchanan and Yoon draw the contrast between economic markets, characterized by individual choices, and political markets where these 'choices' do not produce direct consequences due to the existence of public goods.

In Chapter 6, Robert E. Goodin writes on 'Truth, justice and democracy', asking the basic question of whether democracy contributes toward the pursuit of either truth or justice. The discussion revolves around two theorems – the Condorcet jury theorem, and the majority rule theorem – one of which (Condorcet) is related to the idea of truth, while the other is related to the idea of justice, interpreted as the impartial satisfaction of preferences. The strategy of the chapter is then to analyse the extent to which these two theorems pull against each other in specifying properties of democracy. Goodin concludes that while democracy can promote both truth and justice in some circumstances – particularly in individualistic societies where each voter is seen as an isolated example of *homo economicus* – there are other circumstances in which democracy may fail to track either truth or justice, and still others where democracy may be just but may not yield the truth. More generally, Goodin exposes the more fine-grained nature of the relationships between the behaviour of individuals, the institutional structures of democracy, and the normative properties associated with democracy.

In Chapter 7 on 'Error-dependent norms', Philip Pettit pursues the puzzling cases of social norms that are supported precisely by errors made by individuals. Pettit begins by reviewing the nature and definition of social norms to draw out the idea that norms are supported by patterns of

approval and disapproval in the population – or by beliefs about patterns of approval and disapproval. This leads to the possibility that these beliefs may be erroneous. Everyone may believe that everyone else approves of X, while in fact no-one actually approves of X, but acts as if they do out of a desire to conform. More subtly, even if everyone is correct in their beliefs about approval, they may be mistaken in believing that this approval is important in motivating behaviour – that is, they may be wrong to believe that others internalize the norm. Pettit goes on to argue that error-dependent norms are not just a logical curiosity, but may play a significant role in explicating a variety of social behaviour – and that the normative impact of such norms can be either positive or negative.

The volume ends with a chapter by Hartmut Kliemt entitled ‘The world is a table. Economic philosophy stated flatly in terms of rows, columns and cells’. He starts from the Buchananesque observation that, properly speaking, there cannot be ‘social choice’ since individuals rather than societies make choices – so that ‘social choices’ must be seen to emerge from individual choices. Using Pattanaik’s recent re-evaluation of the social choice approach, a deliberational and an institutional variant are exemplified by discussions of Sen’s paradox of liberalism. Where Sen must deal with the ‘liberal nature’ of the evaluation of games and the rank ordering of whole game forms, the normative constitutional political economist discusses the more or less ‘liberal’ character of the rules of the games that are ranked. But, as suspected by Bergson and Little, social choice theory must be about axiology rather than choice.

One is, however, left with the impression that in Kliemt’s scholarly analysis there is a general and implicit assumption of property rights – an issue that has prompted a good deal of discussion in the study of liberalism. In order to exemplify the argument, Kliemt constructs a two-person game in a context where rows, columns and cells represent the choice options available to two individuals. In this setting neither individual has the power to choose desired outcomes since neither of them can determine the final result (the cell) – each can only choose his or her own action. Kliemt’s discussion points to a sense in which individuals may attempt to behave concertedly rather than merely strategically – so that individuals in some way incorporate aspects of the social in their own decision making.

Kliemt’s retelling of Sen’s liberal paradox story about who is entitled to read *Lady Chatterley’s Lover* casts new light on the debate, and tells us that not only does liberalism prevent paradoxes from emerging, but it allows the solution of further problems provided that all individuals are permitted to exchange property within a system of defined property rights.

These chapters, taken together, offer a range of novel insights into the limits of rational behaviour in political decision making, but also offer

strategies for exploring these limits that promise rewards across a range of issues. If a hallmark of Geoff Brennan's work is that it combines wide-ranging interests attracted by puzzles and paradoxes with a deep commitment to the analysis of the interaction between the individual and society, then these chapters seem to us to be very much in the Brennan tradition.

REFERENCES

- Brennan, Geoffrey and Loren Lomasky (1993), *Democracy and Decision. The Pure Theory of Electoral Preference*, Cambridge, UK and New York, USA: Cambridge University Press.
- Brennan, Geoffrey, Hartmut Kliemt and Robert T. Tollison (eds) (2001), *Method and Morals in Constitutional Economics: Essays in Honor of James, M. Buchanan*, Berlin: Springer-Verlag.