

RATIONAL CHOICE THEORY:
ITS MERITS AND LIMITS IN EXPLAINING
AND PREDICTING CULTURAL BEHAVIOR

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Approval of the Graduate School of Social Sciences

Prof. Dr. Tlin GENZ
Director

I certify that this thesis satisfies all the requirements as a thesis for the degree of
Doctor of Philosophy.

Prof. Dr. Œ. Halil TURAN
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully
adequate, in scope and quality, as a thesis for the degree of Doctor of Philosophy.

Prof. Dr. Œ. Halil TURAN
Supervisor

Examining Committee Members

Assoc. Prof. Elif IRAKMAN (METU, PHIL)

Prof. Dr. Œ. Halil TURAN (METU, PHIL)

Prof. Dr. Erdal CENGİZ (Ankara Uni, PHIL)

Prof. Dr. Ertuğrul R.TURAN (Ankara Uni, PHIL)

Assoc. Prof. Mustafa ŒEN (METU, SOC)

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Last name : Yurdagül Kılınç Adanalı

Signature :

ABSTRACT

RATIONAL CHOICE THEORY: ITS MERITS AND LIMITS IN EXPLAINING AND PREDICTING CULTURAL BEHAVIOR

Kılınç Adanalı, Yurdagül

Ph.D., Department of Philosophy

Supervisor: Prof. Dr. Ş. Halil Turan

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The main goal of this dissertation is to examine whether instrumental rationality can predict and explain successfully human behavior in all walks of life. I have chosen Rational Choice Theory and Public Choice Theory as the focus of my investigation, since they are considered as the best models of instrumental rationality in philosophy and social sciences, and in particular in economics and politics. To see their merits and to determine their limits, I have applied Rational Choice Theory and Public Choice Theory to the problems of culture and identity, since they are generally regarded beyond the scope of rationality and are believed to represent the most complicated forms of human behavior. I have argued that culture and identity can be subjected to the criteria of rationality and that Rational Choice Theory and Public Choice Theory have relative success in explaining and

predicting the complexity and subtlety of cultural behaviors. Their success, however, is limited, since they make unrealistic assumptions about human cognitive capacity, they disregard the content of preferences, they dismiss the role of emotions in decision making, they are empirically ungeneralizable, they reduce collective structures to individual decisions, among other shortcomings. Despite these criticisms, instrumental rationality still retains its philosophical value in investigating and explaining human decisions and acts.

Keywords: Rationality, rational choice, public choice, culture, identity

ÖZ

RASYONEL TERCİH TEORİSİ: KÜLTÜREL DAVRANIŞI AÇIKLAMA VE ÖNGÖRMEDE AVANTAJLARI VE SINIRLILIKLARI

Kılınç Adanalı, Yurdagül

Doktora, Felsefe Bölümü

Tez Yöneticisi: Prof. Dr. Ş. Halil Turan

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Bu tezin temel amacı, araçsal rasyonalitenin hayatın tüm alanlarında insan davranışını başarılı bir şekilde açıklayıp açıklayamadığını ve öngörüp göremediği araştırmaktır. Rasyonel Tercih Teorisi ve Kamu Tercihi Teorisini bu çalışmanın temel konusu olarak belirledim; çünkü bu teoriler felsefe ve sosyal bilimlerde, özellikle de ekonomi ve politik bilimde araçsal rasyonalitenin en iyi modelleri olarak kabul edilmektedir. Avantajlarının yanı sıra sınırlarını belirleyebilmek için Rasyonel Tercih Teorisi ve Kamu Tercihi Teorisini kültür ve kimlik problemlerine uyguladım; çünkü bu problemler genel olarak rasyonalite alanının dışında kabul edilmekte ve insan davranışının en karmaşık formlarını temsil ettiği düşünülmektedir. Rasyonalite ölçütlerine tabi olduğunu düşündüğüm kültür ve kimlik alanına ait davranışların açıklanmasında ve öngörülmesinde Rasyonel Tercih Teorisi ve Kamu Tercihi Teorisinin göreceli bir başarı elde ettiği ileri

sürülebilir. Ancak teorilerin bu başarısı, insan zihninin kognitif kapasitesi hakkında gerçekçi olmayan varsayımları, tercihlerin içeriğini göz ardı etmeleri, karar alma sürecinde duyguların rolünü dışarda bırakmaları, tecrübi açıdan genelleştirilememeleri, kolektif yapıları bireysel kararlara indirgemeleri gibi pek çok nedenden dolayı sınırlıdır. Bu eleştirilere rağmen, araçsal rasyonalite insan kararları ve davranışlarının incelenmesinde ve açıklanmasında hala felsefi bir değer taşımaktadır.

Anahtar Kelimeler: Rasyonalite, rasyonel tercih, kamu tercihi, kültür ve kimlik

To Hadi

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LIST OF ABBREVIATIONS

RCT	Rational Choice Theory
PCT	Public Choice Theory
UDHR	Universal Declaration of Human Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights

CHAPTER 1

INTRODUCTION

There are strong a priori grounds for assuming that people, by and large, behave rationally. We all want to be rational. We take not pride in our occasional or frequent irrationality. At best we accept it as an inevitable byproduct of other, desirable dispositions, which means that it is in some broader sense rational.

Jon Elster, *Rational Choice*.

Video meliora proboque deteriora sequor.

Publius Ovidius Naso

Rationality and rational choice, the central themes of this dissertation, are intimately related to the question of what it means to be a human being. Study of rationality requires close scrutiny of the relevant concepts, such as reason, rationalism, epistemology, and logic, in addition to a variety of problems, approaches and methodologies from philosophical, psychological, political, social, economic and cultural aspects. No study can investigate comprehensively and exhaustively the problem of rationality, since until now no consensus exists on any aspect of rationality. Modern debates on rationality revolve around a series of subtopics such as theoretical and practical rationality, instrumental and substantial rationality, normativity, collective rationality, self-deception, irrationality, heuristics and biases, paradoxes, judgment and decision making. In the sections of this chapter, I will give brief information about some of these issues so that they will prepare the ground on which I will be

examining the main topic of my dissertation: the rational and public choice theories.

Before going into the theories of rational choice, it is important to give a brief survey of rationality in philosophy to understand better the problems that surround the choice theories. With this aim, I will first focus on different meanings of rationality; second, I will deal with the separation of rationality as theoretical versus practical; third, I will present arguments raised for and against rationality; and last, I will make a brief introduction to the rational choice theory (henceforth RCT).

1.1. Reason and Rationality: An Overview

Rationality means different things for different people in different contexts. These differences played a crucial role in the emergence of various theories of rationality in various domains with diverse methodologies and distinct sets of problems. There seems to be no end to the list of rationality theories: theoretical rationality, practical rationality, instrumental rationality, substantive rationality, epistemic rationality, metaphysical rationality, scientific rationality, political rationality, theological rationality, economic rationality, bounded rationality and so on. The same abundance seems to be valid for the rationalist thinkers as well. Just to give an example, Cartesian rationality is different than the rationalism of Spinoza, and both Descartes and Spinoza differ from Leibniz and Kant in their approach to reason.¹

It is important to emphasize that rationality is a concept whose study properly belongs to the school of philosophy which is called rationalism. Rationalism differs from the rest of philosophical schools, in particular from empiricism in the way it relates to method, knowledge, truth, and facts.² Rationalism aims at the knowledge of things and their reality through methods

¹ For a study of rationalism and rationalist thinkers, see John Cottingham, *Rationalism* (Bristol: Thoemmes Press, 1984) and his *The Rationalists* (Oxford: Oxford University Press, 1988).

² Alan Nelson, "The Rationalist Impulse," *A Companion to Rationalism*, ed. Alan Nelson (Oxford: Blackwell Publishing Ltd., 2005), 4.

that are appropriate to human reason. Rationalist philosophers study the reality of things not through sense perception or experiment but through some kind of intuitive capacity, the inner light of reason.³ The light of reason does not flash like a sudden illumination as some mystics would claim. It comes rather in various states, after long stages of methodological investigation. A rationalist may examine properties of individuals, and although she begins with their properties, she does not end there. She goes beyond the particular property, for example, the beauty of a single statue, compares similar beautiful statues and other beautiful things and reaches a general, universal concept of beauty which is perfect, simple, infinite, and indivisible.⁴ The rationalist claims that limited, finite beauty in particular things cannot be understood without this concept of beauty which can be reached by individual reason. Though the concept of beauty may have its initial roots in the external objects, it is justified within and through reason. Furthermore, it is the individual who understands and justifies this concept without any need for external aid or guide.⁵ Inspired by this approach or rather “impulse,” I would like to indicate that my study of rationality and rational choice, even though it will draw upon many empirical studies concerning the potential, limits, and shortcomings of human reason, will mainly be confined to its philosophical investigation. In other words, I will try to investigate the concept rational choice theories through rational methods.

Interestingly enough, neither Greeks nor Romans had a word that would correspond to our term rationality. In classical Greek, the closest term is *logos* but it was used in different senses and had a wider scope than rationality. There was, however, an understanding existed among ancient Greeks which indicated discourse or argument over abstract subjects or making preferences based on reason among the competing views. In ancient Greece, transition from mythological explanations on nature and cosmos to the reason based accounts

³ Ibid.

⁴ Ibid., 5.

⁵ Ibid., 6-8.

was a landmark in the history of rationality. The transition from mythical modes of thinking to philosophical reason (*logos*) brought in a different set of problems, methods and theories on issues ranging from individual to society, ethics to religion, from atoms to cosmos in general.⁶

Modern attempts to define rationality are also diverse. L. Jonathan Cohen, for example, lists nine different meanings of rationality: (1) Deductive rationality is derived from the rules of deductive logic. If someone believes that *P* and also believes that *P* therefore *Q*, then he or she has to believe that *Q*; (2) Mathematical rationality is based on the rules of mathematical reasoning: if *x* is a prime number and '*x* > 11', it is rational to infer that '*x* > 12'; (3) Semantic rationality is based on the meanings of the words that are involved in ordinary reasoning. If a person is the sibling of another, then they share a common parent; (4) Inductive rationality is a method of reaching a general conclusion on the basis of empirical data. In this sense, it would be irrational to accept a scientific hypothesis if there is no empirical support for it; (5) Probabilistic rationality is the method of calculating likelihood of an event on the basis of statistical principles; (6) Causal rationality is about making an inference about generally accepted facts and causal relations; for example, it is rational to infer that it has rained, if the streets are wet; (7) Instrumental rationality is the method of deciding which means are the best to reach a specific goal; (8) Goal rationality is about the goals themselves and it tells us which goals are worth pursuing, and finally; (9) Linguistic rationality is related to the use of language in communication. People who want to communicate successfully with each other use their linguistic capacity and follow certain linguistic rules in accordance with their intentions.⁷

Another author, Ernest Gellner who worked on the concept of rationality particularly on its relation to culture, points out that almost everything about

⁶ David Furley, "Rationality among the Greeks and Romans," *Dictionary of the History of Ideas*, 46.

⁷ L. Jonathan Cohen, "Rationality," in *A Companion to Epistemology*, ed. Jonathan Dancy and Ernest Sosa (Oxford: Blackwell, 1993), 415-19.

reason, rationality and rationalism is contentious and there are several ways of defining, categorizing and applying these concepts. Gellner distinguishes seven meanings of rationality some of which overlap with the ones in Cohen's list: (1) Rational calculation as opposed to instinctive action; (2) Tendency to act according to long term plans; (3) Behaving according to abstract general rules; (4) Selecting means in accordance with ends; (5) Choosing, defining, performing actions or institutions according to a certain specified criteria; (6) Systematizing beliefs, norms or values in a single coherent system; (7) Conducting human affairs based upon reason as opposed to instincts, passions or emotions. Rationalism, according to Gellner, can be defined in three different perspectives: (1) Relying on individual authority rather than the external authorities; (2) Valuing thought and inference rather than sense perception and experience, and finally, (3) Conducting activities according to certain principles rather than according to custom and experiential knowledge.⁸

Perhaps more economically, Alvin Plantinga whose work on epistemology and religious belief has been influential in recent years, lists five meanings of rationality: (1) The kind of rationality which he calls "Aristotelian" is "the sense in which man is a rational animal, one that has *ratio*, one that can look before and after, can hold beliefs, make inferences, and is capable of knowledge."⁹ (2) The second sense of rationality, in Plantinga's quirky terminology, is called "the deliverance of reason." This sense is related to the first meaning, and it refers to self-evident beliefs that are so obvious that one cannot "grasp them without seeing that they couldn't be false."¹⁰ (3) Rationality

⁸ Ernest Gellner, "Reason, Rationality and Rationalism," *The Social Sciences Encyclopedia*, ed. Adam Kuper and Jessica Kuper (New York: Routledge, 1989), 687-690. Ahmet Cevizci defines rationality in relation to philosophy as following: nature, human mind and society are each constitutes a system which follows the rules or laws that can be discovered, understood and governed by reason. Ahmet Cevizci, "Akılcılık," *Felsefe Ansiklopedisi*, ed. Ahmet Cevizci, (İstanbul: Etik Yayınları, 2003), 199-206.

⁹ Alvin Plantinga, *Warranted Christian Belief* (Oxford: Oxford University Press, 2000), 182; See also, Alvin Plantinga, *Warrant: The Current Debate* (Oxford: Oxford University Press, 1993), 132-37.

¹⁰ Plantinga, *Warranted Christian Belief*, 183

is also understood in relation to deontology. It is rational to “conform to intellectual and epistemic duties” and it is irrationality to fail to do so.¹¹ (4) Instrumental rationality (*Zwekrationalität*) is “means-ends rationality.”¹² (5) And finally, rationality can be understood as “Sanity and Proper Function.” Rationality, in this sense “means absence of dysfunction, disorder, impairment, pathology with respect to rational faculties. So this variety of rationality is again analogically related to Aristotelian Rationality.”¹³

In a recent study John Searle summarizes the six characteristics of what he calls “the classical model of rationality”: (1) Rational actions are caused by beliefs and desires in the sense of Aristotelian efficient cause as in the example of a building collapsing by an earthquake; (2) Rationality is a matter of coordinating beliefs and desires by the agents; (3) There is a distinct faculty of rationality possessed by humans like other cognitive faculties of memory, perception, imagination etc.; (4) There are implicit rules or norms of rationality that people follow mostly unconsciously and it is the task of the philosophers to discover what these are; (5) *Akrasia* or self-deception is the same thing and it happens when people do not have the right beliefs and desires or intentions. And finally (6) Rationality is a matter of finding the right means to desired ends. Reason has no saying in the rationality of the ends. Its sole task is to match the appropriate means to intended goals.¹⁴ After discussing these characteristics of the classical model of rationality, he criticizes each in different chapters.¹⁵

¹¹ Ibid.

¹² Ibid., 183-84.

¹³ Ibid., 185-186.

¹⁴ John Searle, *Rationality in Action* (London: The MIT Press, 2001), 8-12; Searle believes that the weakest point of the classical model is its desire-dependent reasons. By rejecting that there can be desire-independent reasons for actions, the classical model becomes vulnerable to attacks which leave the theory crumble under its own weight. For him, reasons for actions can be as much desire-dependent as desire-independent.

¹⁵ Searle, *Rationality in Action*.

It was perhaps due to the excessive interest in the study of rationality, along with its diverse interpretation and the difficulty of having a meaningful debate on it, some contemporary scholars who work particularly in the area of epistemology gave up the hope of defining rationality. Alvin Goldman, for example, excludes the term rationality from his evaluation of epistemic theories, and claims that “this notion is so vague in ordinary usage, and so disparately employed by different philosophers and social scientists, that it has limited usefulness.”¹⁶ There is no reason, however, to despair, since self-consciousness is an essential aspect of our identity, and if human beings are rational animals, as it has been claimed since the time of Aristotle, then it is natural that they will keep trying to understand what it means to be rational as self-conscious beings. They may use different terminologies and may study the phenomenon through different methodologies, but it seems that rationality is one of those perennial questions that will not lose its appeal to philosophers.

We have already outreached the temporary borders of the current definitions of rationality since, as we can see, they begin to repeat themselves. It may be better to turn towards discussions on specific aspects that are attributed to rationality. Rationality is sometimes studied in binary terms such as theoretical and practical and instrumental and substantial. The next section will be dealing with one of these two binary classifications of rationality: the theoretical and practical rationality.

1.2. Theoretical versus Practical Rationality

Rationality, ever since Aristotle, has been studied in two different domains: theoretical and practical, which roughly correspond to beliefs and actions respectively. Theoretical rationality is concerned with what to believe and practical rationality with what to do. These two domains are generally considered as interconnected though there is much debate about how this interconnection must be understood. Since our beliefs usually precede our

¹⁶ Alvin Goldman, *Epistemology and Cognition* (Cambridge, MA.: Harvard University Press: 1986), 27.

actions, it is natural to start with theoretical rationality. We must have some beliefs about what we should do and in this sense some actions originate from the preceding beliefs. Not all beliefs are of the same value, and some are true while others are certainly false. Those beliefs that correspond to reality constitute knowledge. Theoretical reasoning aims at this kind of knowledge, and theoretical rationality is the way in which we achieve reasonable beliefs and true knowledge.¹⁷

According to Robert Audi, rationality requires certain mental states without which it is not possible even to talk about rationality, neither in theoretical nor in practical sense. Some of these states are considered basic, while others non-basic or indirect. Among the basic mental states that are required for theoretical rationality are perception, memory, consciousness and reason. Audi calls them the “sources” of rationality.¹⁸ The ability to know and recognize things through sense experiences is a part of perceptive rationality; the ability to recognize what time it is when I look at my watch, for example, belongs to this category.¹⁹ Audi mentions memory as another source of theoretical rationality. Without memory, our theoretical knowledge would be reduced to immediate perception. We have to refer to the capacity to remember in order to retrieve information which is necessary to make the relevant connections and inferences.²⁰

Reasoning is also closely associated with rationality and it is understood in different senses: intuition, understanding and inferring. When we reason, we understand the meanings of the words and sentences through this rational

¹⁷ Robert Audi, “Theoretical Rationality: Its Sources, Structure and Scope,” *The Oxford Handbook of Rationality*, ed. Alfred R. Mele and Piers Rawling (Oxford: Oxford University Press, 2004), 17-18.

¹⁸ *Ibid.*, 18.

¹⁹ *Ibid.*, 19-20.

²⁰ *Ibid.*, 21-22.

capacity. Reason also functions as a connector between statements to reach other statements through the activity of reasoning.²¹

A different approach to theoretical rationality is concerned with the concept of coherence. According to Audi, justification of a rational belief must seek a harmony between that belief and the rest of the other beliefs.²²

In contrast to theoretical rationality, practical rationality which is sometimes called practical reasoning is concerned mainly with our intentions, plans, and actions. As we have seen before, theoretical rationality is about what to believe, while practical rationality is about what to do. Gilbert Harman in his introductory article on practical rationality compares the two modes of reasoning on the same example. When I decide which way I should take to go to the school, I am involved with practical reasoning. When I decide which way my friend will take to go to the school, I am involved with theoretical reasoning. In some cases however, both theoretical and practical reasoning (rationality) may overlap. In deciding which way to take, I may check the traffic conditions, timetable, and in deciding which way my friend will take, I may look at her previous decisions.²³

According to Harman, theoretical reasons are different from practical reasons and the difference has consequences for our beliefs and actions. If someone thinks that analytical philosophy is better than continental philosophy, but if the philosophy department hires those who think continental philosophy is better than analytical philosophy, then he or she may for practical reasons to believe that continental philosophy is better.²⁴ Another difference between theoretical and practical reasoning is that theoretical reasoning is motivated by

²¹ Ibid., 23-24.

²² Ibid., 28.

²³ Gilbert Harman, "Practical Aspects of Theoretical Reasoning," *The Oxford Handbook of Rationality*, ed. Alfred R. Mele and Piers Rawling (Oxford: Oxford University Press, 2004), 45.

²⁴ Ibid., 46.

truth while practical reasoning is motivated by intentions and desires.²⁵ Moreover, practical rationality may require arbitrary decisions; while arbitrary decisions cannot determine the truth of our beliefs. When I cannot decide between two cars, an arbitrary decision is preferable to the one that would take for a long time but my arbitrary decision would not make one car better than the other; arbitrary decisions cannot be justified in the theoretical rationality.²⁶

The differences between theoretical and practical rationality is not always clear and in certain cases they may complement each other. Choosing which university is a practical decision, but to decide this question, I may need first to find out which university is better and this search for the better university is theoretical. Due to this overlap between theoretical and practical rationality, it is not always possible and even not desirable to draw a clear distinction between them. Since theoretical rationality modifies our beliefs and knowledge, whereas practical reason modifies our intentions and choices, we may form intentions in order to reach certain beliefs and we may also acquire new beliefs to make certain choices.

In a slightly different way than Audi, Harman claims that factors that are relevant in theoretical reasoning such as coherence, simplicity, conservatism are practically founded. Even inductive bias that is well entrenched in our theoretical reasoning cannot be justified “non-circularly by theoretical reasoning.” Inductive bias is based on the rule of simplicity. In scientific research as well as philosophy, simple theories are preferable to complex ones and inductive thinking is an example of this tendency.²⁷ Similarly, the urge to get rid of contradiction and inconsistency among our beliefs is practically motivated and another example of practical reasoning that relates to the theoretical rationality.²⁸

²⁵ Ibid., 48.

²⁶ Ibid.

²⁷ Ibid., 52.

²⁸ Ibid., 50-51.

Instrumental rationality is another key term which is closely related to practical rationality. Instrumental rationality is adopting suitable means to one's ends. Ends are considered as given and they are claimed to be normative in the way we make decision about the means. There are a number of topics which is discussed under the title of instrumental rationality and almost all of them are debatable including instrumental rationality itself.²⁹ Thus it is no surprise that instrumental rationality is understood in myriad ways. Some argued that instrumental rationality is a part of practical rationality while others claimed that "instrumental rationality is not only a part, but a special part, or even the whole of practical rationality."³⁰ In contradistinction to instrumental rationality, substantive rationality is concerned not with means but the ends themselves. While instrumental rationality leave the choice of ends to the individuals, substantive rationality claims that ends can be evaluated normatively from the point of rationality. These two approaches roughly correspond to the ethical views of two prominent philosophers David Hume and Immanuel Kant. While Hume is believed to deny any role for reasons in determining the ends, Kant argued for the autonomy of reason whose normative authority covered the choice of ends as well.³¹

1.3. Arguments for and against Rationality

The history of irrationality is long and tortuous.³² 'To err is human' is as frequently quoted as 'man is a rational animal.' Rationally oriented scholars

²⁹Joseph Raz, for example, considers instrumental rationality as a myth; see his "The Myth of Instrumental Rationality," *Journal of Ethics & Social Philosophy* 1 (2005): 1-28.

³⁰Niko Kolodny and John Bruno, "Instrumental Rationality," *The Stanford Encyclopedia of Philosophy*, URL = <http://plato.stanford.edu/archives/spr2016/entries/rationality-instrumental>

³¹For the discussion of their views with regard to rationality, see Michael Smith "Humean Rationality," *The Oxford Handbook of Rationality* (Oxford: Oxford University Press, 2004), 75-92; and O'nora O'neill, "Kant: Rationality as Practical Reasons," *The Oxford Handbook of Rationality* (Oxford: Oxford University Press, 2004), 93-109.

³² For historical accounts of irrationality, see Patrick Gardiner, "Irrationalism," *The Encyclopedia of Philosophy*, ed. Paul Edwards (New York: Macmillan and the Free Press, 1974).

tend to attribute the errors of reason to external factors such as distraction, emotions, conditioning and so on. Since the early 1970s, a new trend in the study of irrationality has emerged; some psychologists argued that errors in human reasoning cannot be explained purely on the basis of external factors. The errors that humans make cannot easily be overrun by attention or even education; they are inbuilt and systematic. Those who argue that humans are not rational do not usually define what they mean by rationality, but they may be following a concept of rationality which a recent author summed under the title of the Standard Picture.³³ According to this picture, rationality is understood as following the rules of logic, probability theory, and decision making. It is unfortunate that the debates about the rationality of human beings take place mostly over a system of rules. These debates do gross injustice to the highly sophisticated theories of rationality that are developed throughout the history of philosophy.

It is true that if a person's capacity to think logically or probabilistically is deficient, this would have dire consequences on the rest of her cognitive skills and on her life in general. In other words, if a person's logical reasoning is faulty, this would disturb her rationality in other areas as well. It is in this sense that arguments for the irrationality of human beings need to be taken seriously. In this section, I will summarize some arguments for the irrationality of human beings mostly coming from empirical studies in psychological and decision making literature. Again, I will be concerned with the theoretical aspects of these empirical studies.³⁴

An example of logical fallacy claimed to be common among people relates to conditional reasoning. In a psychological study, four cards are

³³ Edward Stein, *Without Good Reason* (Oxford: Clarendon Press, 1996).

³⁴ J. L. Cohen whose list on the meanings of rationality I have mentioned at the beginning of this chapter argues that the very normative criteria that we use to judge the errors documented in these empirical studies are not external to human intuitive reasoning, therefore any attempt to prove the irrationality of ordinary people would be self-contradictory, see his "Can Human Irrationality be Experimentally Demonstrated?" *Behavioral and Brain Sciences* 4 (1981): 317-370.

presented to the subjects which have *E*, *K*, 4 and 7 written on their surface and the subjects are told that ‘if a card has a vowel on the one side, it has an even number on the other. Then, they are asked which card or cards are to be turned over to check whether the rule is correct or not. The true answer is *E* and 7. The majority of the subjects tend to say that *E* has to be turned over, but very few think that 7 also had to be checked. This is interpreted by many psychologists as an indication for the violation of the logical rule *modus ponens*. It is also seen as an example of confirmation bias. People tend to look for evidences to confirm their beliefs rather than try to find out evidences which disconfirm.³⁵

Another commonly discussed example concerning human rationality is known as the representation heuristic. For example, subjects are asked to read a description which reflects the characteristics of a feminist woman, say Linda, and the work habits of a regular employee as follows: “Linda is 31 years old, single, outspoken and very bright. She majored in philosophy. As a student she was deeply concerned with issues of discrimination and social justice, and also participated in anti-nuclear demonstrations.”³⁶ Then they are asked which is more likely: (a) Linda is a bank teller, and (b) Linda is a feminist bank teller, the subjects overwhelmingly prefer (a) over (b), a preference which violates one of the very basic rules of probabilistic thinking. This violation is usually referred to as conjunction fallacy. According to this fallacy, the probability of a joint statement cannot be higher than the probability of its statements singularly. In other words, the probability of (a) and (b) cannot be higher than the probability of (a) or the probability of (b) separately. Although everyone knows that one cannot be a feminist bank teller without being a bank teller first,

³⁵ P. C. Wason, “Reasoning about a Rule,” *Quarterly Journal of Experimental Psychology* 20 (1968): 273-281. For a modern interpretation in connection with confirmation, see Raymond S. Nickerson, “Hempel’s Paradox and Wason’s Selection Task Logical and Psychological Puzzles of Confirmation,” *Thinking and Reasoning* 2 (1996): 1-31.

³⁶ Amos Tversky, and Daniel Kahneman, “Extensional versus Intuitive Reasoning: The Conjunction Fallacy in Probability Judgment,” *Psychological Review* 90 (1983): 297.

the majority of the subjects (approximately 85 % of the statically trained university students) commit this mistake.³⁷

Finally, a series of tests which is conducted under the title of ultimatum game is usually interpreted as a violation of the human rationality. In an ultimatum game, one of two players is given a certain amount of money (for example, 10 dollars consisting of one dollar bills). The player who was given the money is asked to share it with the other player. As a rational person, she should give the smallest amount (one dollar) to the other person and keep the rest for herself. This is dictated by the principle of utility maximization. The player who is receiving the money, also as a rational person, should accept the offer no matter how small it is, since one dollar is better than no dollar at all. The only condition attached to the game is that if the receiver rejects the offer, neither gets anything. The factors that may have an effect on the decision of the players, such as the identity of the players or playing the game multiple times, etc., are excluded. Even though the game has been played in various cultures and environments, the results are similar. What emerges from these studies is that the person who shares the money usually offers half of it and the receiver most of the time refuses the amounts below 25 percent. From the economic and utility maximization point of view, both the behavior of the giver and the behavior of the receiver are irrational. They do not satisfy the expectations of the economic rationality, and they certainly do not represent the model of the self-interested individual who maximizes his or her benefits.³⁸

No doubt many more examples of human folly can be shown and there is a growing literature on the subject. There are also a number of responses to the claims that human cognition is incorrigibly broken. One well known

³⁷ A. Tversky, and D. Kahneman, "Judgments of and by Representativeness," *Judgment under Uncertainty: Heuristics and Biases*, ed. D. Kahneman et al. (Cambridge, UK: Cambridge University Press, 1982), 84-98.

³⁸ Cited by Richard Samuels and Stephen P. Stich, "Irrationality: Philosophical Aspects," *International Encyclopedia of the Social and Behavioral Sciences* (2015): 719-723; Joseph Henrich, Robert Boyd, Samuel Bowles, Colin Camerer, Ernst Fehr, and Herbert Gintis, *Foundations of Human Sociality: Economic Experiments and Ethnographic Evidence from Fifteen Small-Scale Societies* (Oxford: Oxford University Press, 2004).

response is that there is a distinction between competence and performance in cognitive tasks. In a way analogous to the grammatical mistakes, errors of reason belong to the level of production, not to the level of competence. It is true that these studies document errors in human reasoning in performing certain tasks but they do not necessarily show that there is something inherently malfunctioning in their cognitive system. Once the errors are pointed out, many subjects realize their mistake and accept the correct answer. If they did not have a capacity to think rationally, they would not be able to see their errors.³⁹

Another line of response to the studies about human irrationality criticizes the context and format of these tests. Take the card test for example, when the experiment of four cards with numbers on the one side and the letters on the other is framed in a concrete example such as “when I go to Manchester I take the train.” And the subjects are asked which of the following four cards must be turned over in order to verify this sentence: *Manchester*, *Exeter*, *Train* and *Car*, majority of the subjects turn the cards *Manchester* and *Car*, applying the rule correctly.⁴⁰

Still some critics argue that the experimenters assume that the subjects understand the problems the way they think they do. In the Linda experiment for example, the subjects may be following rules that are as equally rational but these rules may not be the ones that the experimenters assume. It may be the case that the subjects take (a) Linda is a bank teller to mean ‘Linda is a bank teller who is not feminist’ according to the conversational conventions. Otherwise, why would one place in a daily conversation (b) Linda is a feminist bank teller next to (a) Linda is a bank teller, if (a) did not imply the negation of feminism? Interpreted in this way, the claim of irrationality loses its ground. Similarly, scholars who are working on the tradition of heuristics and biases argue that “there are typically several different ways in which the principles of statistics and probability can be applied to a given problem and that these different

³⁹ Samuels and Stich, “Irrationality: Philosophical Aspects,” 721.

⁴⁰ P. C. Wason and D. Shapiro, “Natural and Contrived Experience in a Reasoning Problem,” *Quarterly Journal of Experimental Psychology* 23 (1971): 63–71.

analyses of the problem lead to different answers or in some cases to no answer at all.”⁴¹

Another response to the claim of systematic deviation from the rules of rationality in probabilistic reasoning comes from evolutionary psychology. Some evolutionary psychologists argue that human mind evolved in stages that helped our ancestors to adapt to their environments. The ability to reason in a probabilistic way would certainly be an advantage for the survival of our species. But this ability has to be searched for in its natural environment. Human beings would have better paid attention to frequencies rather than single events so that they would survive. Single events may be significant but what is more significant is the inference based on frequent occurrence of similar events. When the question is about Linda, it is about a single person. When the question is about the number or ratio of people like Linda in a group of 100, it is about frequency. Thus, when Linda problem is phrased in the form of frequency, such as ‘There are 100 people who fit this description above. How many of them are (a) bank tellers and (b) bank tellers and active in feminist movement?’, only ten person of the subjects chose (b) that all or majority of them are feminist bank tellers.⁴² It seems that it is much harder to prove empirically that human beings are irrational than they are rational.

Samuels and Stich lists six hypotheses concerning human rationality in the face of challenging results coming from psychological studies and the responses to them: (1) People’s intuitive judgments on reasoning and decision making problems deviate regularly from the norms of rationality.⁴³ (2) Deviation from the norms of rationality can be explained by heuristics like representativeness “which sometimes yield reasonable judgments and

⁴¹ Samuels and Stich, “Irrationality: Philosophical Aspects,” 721.

⁴² Ibid., 722.

⁴³ Richard Samuels and Stephen P. Stich, “Rationality and Psychology,” *The Oxford Handbook of Rationality*, ed. Alfred R. Mele and Piers Rawling (Oxford: Oxford University Press, 2004), 285.

sometimes lead to severe and systematic errors.”⁴⁴ (3) Untutored people are prone to use heuristics that are normatively problematic and systematically misleading.⁴⁵ (4) There are many experimental studies on reasoning in which people do not violate the norms of rationality. (5) Natural selection has provided us with mental skills which were instrumental for our survival, and these skills function properly in non-demonstrative tasks. (6) And finally, natural selection, through its mechanisms that favor the fittest, secures the reliability of our reasoning and rational thinking.⁴⁶

Samuels and Stich claim that hypothesis (3) and hypothesis (6) cannot both be true, since if natural selection favors rational thinkers, this rules out the use of heuristics that systematically lead to mistakes. But they can both be false and that they probably are. They add that heuristics cannot be the only mental tool for ordinary people to think in their reasoning and decision making. They think that any one of the remaining hypotheses or a combination of them may be true but the current research and available data are not enough to settle the issue.

Samuels and Stich think that human cognition may be better explained by a set of dual process theories that attribute to human mind two different but related systems. According to the first system, human beings reason in a fast, automatic, largely unconscious way. This system, the evolutionary psychologists claim, emerged relatively early in the evolutionary history. It is innate and has survival value. The second system, on the other hand, is slow, rule based, deliberative and can further be developed by education. It is this system that makes us adapt to various environments and acquire new skills to solve new problems that we are facing in various social and cultural environments. The heuristics and bias studies focus on the second system but

⁴⁴ Daniel Kahneman and A. Tversky, “On the Psychology of Prediction,” *Psychological Review* 80 (1973): 248.

⁴⁵ Samuels and Stich, “Rationality and Psychology,” 286.

⁴⁶ *Ibid.*, 295.

since it is open to control and modification, and can be enhanced through education. However, there is reason, to be hopeful that cognitive errors can be overcome through training.⁴⁷

Slightly different than the studies mentioned above, irrationality is also studied under the title of self-deception or *akrasia* (literally the absence of will). Self-deception is a mental state or an attitude towards some propositions, cases, or events and a person who deceives himself is usually accepting a false statement as true. Whether self-deception is deliberate or unconscious is a debatable, since some argue that it is not possible to believe a false statement consciously. Self-deception is sometimes claimed to be analogous to interpersonal deception on the basis of a dual conception of self: self as deceiver and self as deceived. Others, however, argue that it is contradictory or incomprehensible to image self as deceiver and deceived simultaneously.⁴⁸

Self-deception is related to a number of psychological and mental states such as delusion, weakness of will and rationality. From the moral point of view, self-deception has significant consequences on character traits such as hypocrisy, authenticity, integrity, well-being, etc. Some argued that self-deception is harmful for moral integrity since it subverts moral values and engenders false beliefs and attitudes. Self-deception prevents voluntary actions and thereby dismisses moral responsibility making moral praise and blame for actions void.⁴⁹

Alfred Mele argues that for an action to be considered as self-deception, it should not be compelled. The agent must be aware of the gap between her motivational inclinations and her objective judgments. Desires, no matter how strong they are, in principle, are not compelling. When there is compulsion,

⁴⁷ Ibid.

⁴⁸ Mike W. Martin. "Self-Deception," *Encyclopedia of Ethics*, 2nd ed. (New York: Routledge, 2001).

⁴⁹ Ibid.

irrationality is ruled out. Those who follow this line of thinking emphasize the role of voluntary action with regard to beliefs and desires.⁵⁰

There are cases of motivationally biased beliefs. Psychological studies indicate that people usually value themselves irrationally. In a survey conducted among high school students, nearly 25% of them believed that they are among the top 1% in getting along well with others. It is safe to say that they would be more likely to attribute self-deception to their friends than themselves. No doubt, in this case, the desire to be seen friendly with others causes the belief that one is friendly with others.⁵¹ What are the sources of desires leading to biased beliefs? The literature on heuristics and biases lists many and Mele mentions two: (1) Vividness of information (2) The confirmation bias. We remember and form beliefs in accordance with the salient information, paying attention to vivid imagery, we judge things according to the ease of recollection. People also tend to look to confirm their beliefs rather than try to disconfirm them. They recognize confirming evidence more easily than disconfirming ones; they interpret relatively neutral information as confirming their beliefs.⁵²

There have been various arguments to vindicate rationality against the accusation of irrationality and I will mention two of them. First, I will begin with Jonathan Bennett whose account of rationality was motivated by Kant in certain respects. He is in general agreement with Kant that there is a difference between naturally occurring events, and human behavior that are done due to reasons.⁵³ According to Bennett, rationality is a property of behavior and it is

⁵⁰ Alfred R. Mele, "Motivated Irrationality," *The Oxford Handbook of Rationality*, ed. Alfred R. Mele and Piers Rawling (Oxford: Oxford University Press, 2004), 241-242.

⁵¹ *Ibid.*, 249.

⁵² *Ibid.*, 251.

⁵³ Jonathan Bennett: *Rationality: An Essay towards an Analysis* (London: Routledge & Kegan Paul, 1971), 1-2; Arthur W. Collins, "Jonathan Bennett on Rationality: Two Reviews," *The Journal of Philosophy*, 63 (1966): 253-266; I. Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York: Harper & Row, 1964), 80.

not a relation between behavior and thoughts. Rationality requires language and it cannot exist in the absence of language. Human beings have language and it is an indication of their rationality; animals, on the other hand, do not have language in the sense that humans do, thus they cannot be considered rational. But what makes a linguistic act rational?

Bennett believes that for an act to be a linguistic behavior, it has to satisfy four conditions: First, it has to be rule governed so that it would connect signs (i.e., words and sentences) to the world in a regular way; second, there must be an external behavior (i.e. speech) that would indicate that agents communicate with each other through that behavior; third, there must be a syntax that would make various combinations of signs possible to express various facts about the world; and finally, there must be a conventional aspect which establishes the connection between the signs and the world.⁵⁴ Bennett discusses the example of bees and asks what aspects of rationality we need, to turn non-rational acts of bees into rational behavior. Bees exhibit symbolic action through their dance. Bennett argues that even though bee dance is informative, i.e., it tells other bees the direction of the food, information alone is not enough to call bee dance a rational act. Bee dance, according to him, is just a stimulus-and-response action; it is regular but without reason.⁵⁵

Reason or intelligence, according to Bennett is the ability to organize data and to modify them according to the environment. For bees to be intelligent, they must not only perform bee dance, but they must be able to perform “a denial-dance” when the rule is breached, i.e., when a bee dances in the absence of food source, another bee reacts to this “false” information. This may constitute a rule governed behavior, but Bennett insists that though necessary, denial-dance is not sufficient for rationality. Rationality, for him, entails linguistic capacity but is not entailed by it. For the bees to be seen as rational, two further conditions are required: linguistic expressions that refer to

⁵⁴ Bennett, *Rationality: An Essay towards an Analysis*, 12-15.

⁵⁵ *Ibid.*, 15.

tenses (the past, present and future) and universal judgments (quantified statements, i.e. “all bees are animals”). Language plus universal judgments seem to be the criteria for rationality for Bennett.⁵⁶

Another argument for rationality is given by Ray Jackendoff in his recent study titled *A Users Guide to Thought and Meaning*. Jackendoff argues that with regard to language, most of inferences at the syntactic level is based on unconscious knowledge. For example, we do form syntactically meaningful strings of words without being aware of the rules for their formation. Similarly, we do make inferences about the meaning of the words and statements without being aware of the rules that guide these inferences. Jackendoff gives the following examples for these unconscious syntactic and semantic inferences: “Joe jumped until the bell rung” means that Joe repeated the action of jumping several times prior to the ringing of the bell. “Joe *jumped when* the bell rung” or “Joe *slept until* the bell rung” do not permit this inference.⁵⁷

Finally, the late Donald Davidson is another analytical philosopher who developed an argument in favor of rationality with a holistic perspective. His holism treats mind, language and world in an interconnected, interrelated way. Rationality cannot be explained on the basis of solely mind or language or the world. Rationality emerges out of the relations between the three. He believes that it is possible to make a distinction between rational animals (i.e., human beings) from other non-rational animals (i.e., snails). Children are also not rational but they have the potential to be rational when they grow up. But snails have no chance of becoming rational no matter how long they live. What makes an animal rational, for Davidson, is the capacity to have propositional attitudes

⁵⁶ For a criticism of Bennett’s view of rationality, see P. M. S. Hacker, “Review of Jonathan Bennett: Rationality,” *The British Journal for the Philosophy of Science* 18 (1967): 74-76. Hacker thinks that Bennett’s definition includes machine intelligence as rational because it has a language and it makes tensed judgments and excludes logic and mathematics because they make tenseless universal judgments, and since Bennett’s concept of language requires communication as condition for linguistic behavior this makes that “it is logically impossible for Man Friday, alone on his island, to have language, and hence to be rational.” (p. 75-76).

⁵⁷ Ray Jackendoff, *A User’s Guide to Thought and Meaning* (Oxford: Oxford University Press, 2012), 68-69.

such as beliefs, desires, intentions, emotional states such shame, pride, etc. Each one of these mental states relates to other mental, propositional states in a way that makes it impossible to treat each independently.⁵⁸

Davidson argues that to have a single belief requires some kind of coherence in one's belief system. 'There is a cat on the mat' as a belief is related to a set of beliefs such as the cat is an animal or the mat is a fabric material, etc. It is this coherence that Davidson thinks makes us rational. Furthermore what is true for the belief is also true for the rest of the propositional attitudes such as desires, intentions, emotions, and so on. Beliefs are essential for rationality since they constitute the background of all other propositional attitudes. Without beliefs, propositional attitudes cease to exist, and without propositional attitudes, rationality ceases to exist. The reason why beliefs are important for rationality is because they imply truth. To believe something is to believe that the belief is true. One cannot believe something as true without having a language. Davidson insists on the connection between language and truth. For him to give a meaning to a sentence or to understand what a sentence means is to know under which conditions that sentence is true. Thus language is inseparably related to truth. One could not speak a language if one did not already have a concept of truth that makes the sentences of this language true.⁵⁹

Like beliefs, intentions are also essential for rationality. Without intentions, one cannot be considered rational. Intentions are among the reasons for our actions. Davidson argues that there is no strict causation between intentional states and actions, there is only a correlation or a law-like connection. Davidson brings an argument against the view that reasons are not causally related to our actions. He believes that rationalization is very similar to ordinary causal explanation.⁶⁰ For example, if it is raining outside and if I want

⁵⁸ Donald Davidson, "Rational Animals," *Dialectica* 36 (1982): 318-19.

⁵⁹ *Ibid.*, 326.

⁶⁰ Donald Davidson, "Actions, Reasons, and Causes," *The Journal of Philosophy* 60 (1963): 685-700.

to remain dry, my taking an umbrella is the action for my desire to be dry. In other words, my desire to remain dry is the reason for my taking an umbrella in going outside in a rainy day. There is a difference, however, between causal explanations that are strict and deterministic and the explanation of reasons that are not. Having a reason for an action does not necessarily cause its realization. In sum, reasons are not efficient causes of our actions but they are causally related to them.

Davidson argues that no matter how fallible, wrong-headed, or inappropriate our beliefs, intentions, and actions are, human beings must be seen as rational since they have the capacity to have these mental states. Having them makes us rational. Even though we may hold some beliefs irrationally or may have some irrational beliefs, being irrational is possible only if we are rational in the first place. Without the background rationality, it is not possible to have irrational beliefs.⁶¹ This is the basic argument Davidson makes for rationality. Unlike David Hume, he does not think that animals are rational, since he thinks that they cannot have propositional attitudes. To attribute to a dog a belief is not to credit the dog with certain properties linguistic capacities.⁶²

Davidson was also concerned with the problem of mental content. He tried to find an answer for how it is possible for us to have the same content. It seems that the sentence “I am hungry” is different than someone else’s sentence about me, “He is hungry”. Davidson argued that three kinds of beliefs, beliefs about oneself, beliefs about others and beliefs about the world belong jointly to our system of beliefs. In other words, one could not have a belief about oneself, without time being able to have a belief about other persons and about the world. My belief about myself automatically implies beliefs about others and about the world. This, for Davidson, is what makes linguistic communication possible.

⁶¹ Davidson, “Rational Animals,” 321.

⁶² For Hume on animals and rationality, see his “On the Reason of Animals,” *An Inquiry Concerning Human Understanding* (New York: The Library of Liberal Arts, 1955).

Davidson points out the paradoxical trap in irrationality assessments. He says: “The underlying paradox of irrationality, from which no theory can entirely escape, is this: if we explain it too well, we turn it into a concealed form of rationality; while if we assign incoherence too glibly, we merely compromise our ability to diagnose irrationality by withdrawing the background of rationality needed to justify any diagnoses at all.”⁶³

1.4. Rational Choice Theory (RCT): An Overview

The principle of rationality as a methodological tool helps us to evaluate human behavior with regard to norms of practical reasoning. Psychological researches seem to fail to provide adequate answer as to reasons for behavior, since majority of these studies either concentrate on external behavior of the subjects or on neuro-physiological aspects of the brain. However, rationality as we seen in Davidson connects the inner world of the individual to the external world. At first, the goals and motives of the individuals seemed unproblematic reasons for their behavior in social sciences, particularly in economics. If people succeed in reaching their goals this is interpreted as that they are rational enough to survive in all environments including market conditions. In that sense, rational individuals follow the norms of reasons not only in their beliefs and intentions but also in their action. As David Gauthier says “the maximizing conception of rationality is almost universally accepted and employed in social sciences.”⁶⁴

Maximization as a sense of rationality underlies the theories of rational choice in contemporary debates. I say “theories”, since the RCT has many versions. While they share some basic assumptions such as individualism and maximization, each have varying assumptions with different concerns and sensitivities for different domains of human behavior. Basically, what is

⁶³ Donald Davidson, “The Two Paradoxes of Irrationality,” *Philosophical Essays on Freud*, ed. R. Wollheim and J. Hopkins (Cambridge: Cambridge University Press, 1982), 303. Jeff Malpas, “Donald Davidson,” *The Stanford Encyclopedia of Philosophy*. <http://plato.stanford.edu/entries/davidson/>.

⁶⁴ David Gauthier, *Morals by Agreement* (Oxford: Clarendon Press, 1988), 8.

required for an agent to be rational within the framework of rational choice theories is based on the idea that an agent is rational if and only if she selects “the best alternative in every situation.” What is the best alternative in every situation is a difficult question to answer. It is also difficult for most people to satisfy the requirements of the capability of selecting the best alternative, since it may require a great degree of intelligence, full knowledge and information, and also a detailed understanding of procedure of reasoning. These requirements of rational choice theories imply three basic assumptions: First, people are goal oriented and make rational preferences in their self-interest; they maximize their benefits and minimize their costs. That is, human beings are capable of evaluating different possible alternatives, and of making a decision deliberately and carrying out their decisions to increase benefit, to reduce pain, or to pursue their goals.⁶⁵ To illustrate this idea, I discussed the less controversial principles or axioms that generally are accepted by the choice theorists: methodological individualism and utility maximization. These axioms are expected to give answers to the following questions: Who are the players? What choices do they have? These questions opened very controversial issues in the RCT. For example, since the RCT assumes that preferences as given, the theory tells us how to make rational decisions, but not which ends to choose in a normative way. That is, the ends or goals are not subjected to any judgment or questioning.⁶⁶ Second, the individual has a set of hierarchically well-ordered preferences, and the preferences serve as a guide to action. And they act to satisfy their preferences; namely, they calculate and deliberate the changing conditions and then act rationally to maximize their utility. Third, collective decisions and behavior are ultimately reduced to the choices made by rational individuals, since collectivities cannot be described as rational entities. This idea is believed to justify the methodological individualism as an assumption of

⁶⁵ Frank Lovett, “Rational Choice Theory and Explanation,” *Rationality and Society* 18 (2006): 237-272.

⁶⁶ Stephen Parsons, *Rational Choice and Politics: A Critical Introduction* (New York: Continuum International Publishing Group, 2005), 9.

the rational choice theory in explaining social events and decisions on the basis of individual behavior.

In addition to the discussion of these assumptions in the literature, the RCT made another important methodological tool, namely game theory whose origins go back to a famous book, *The Theory of Games and Economic Behavior*, written by Oskar Morgenstern and John von Neumann.⁶⁷ In this book, Morgenstern and von Neumann consider individuals as rational players who pursue some strategies to compete with each other and maximize their utilities. For example, in the prisoner's dilemma, each individual is regarded as behaving according to the norms of RCT. Thus each is trying to do the best for him/herself, given the opportunities available to them. Each player is rational and each player knows that all other players are also rational; all other players also know that each player know that all players are rational, and so on. Game theory thus tends to imply a common knowledge of rationality.⁶⁸

Throughout the second half of the last century, many economists and social scientist used game theory in their research for its scientific merits. They also followed the RCT to explain all about human behavior. The enormous interest that the RCT and Game Theory received led some scholars to ask the following question: If all aspects of human behavior are determined by the rational preferences of individuals, then, how can we analyze the social institutions and their decision-making processes?

The Public Choice Theory (PCT) appears to be an extension of the RCT to collective decisions in politics. The PCT is best defined as the application of the rational choice model to non-market decision-making. In a more general sense, it means an application of economic models to political science. James M. Buchanan who is one of the pioneers of the PCT argues that the PCT is “catallactics” or the science of exchanges in the political domain. Thus the combination of the *homo-economicus* with “the science of exchanges” shows

⁶⁷ Oskar Morgenstern and John von Neumann, *The Theory of Games and Economic Behavior* (Princeton: Princeton University Press, 1946).

⁶⁸ Parsons, *Rational Choice and Politics: A Critical Introduction*, 20.

that collective action can be modeled at the level of the individual decisions and their relations with each other. Due to these ideas, in 1986, James Buchanan was awarded the Nobel Prize in economics.

Even though both the RCT and the PCT enjoyed the strong support of mathematics, they faced some challenges and dilemmas because of the limits of human rationality. These challenges leave us with the following situation: on the one hand, as a feature that distinguishes humans from other living beings, we define the concept of rationality as a capability of selecting the best alternative in every situation; on the other hand, we have to admit that there are limits or boundaries that a rational agent cannot overcome when she tries to reach the best alternative.

Although, in daily life, we see people who are behaving irrationally, the main assumption of the RCT is that all individuals behave rationally when they have the full knowledge. In every case, individuals can make the necessary comparisons between the alternatives, and can choose the best available alternative.⁶⁹ The RCT ignores agents who are choosing irrationally since such agents would not survive in the market conditions over the long term. However, most of us are also hesitant to a comprehensive cover for human rationality in all aspects of life. While we rely on the rationality of others when we plan our actions, we also know that people are not always rational. For example, smoking cigarettes, while knowing of the health hazards of it, is irrational. This does not prevent them smoking.

Yet, according to the RCT, if there are irrational choices made by individuals, this failure is assumed to be random rather than systemic. Or humans fail to behave as prescribed by the RCT, since they simply ignore certain relevant information or they are misinformed. Indeed, this is the most

⁶⁹ Irwin L. Morris and Joe A. Oppenheimer, "Rational Choice and Politics," *Politics from Anarchy to Democracy*, ed. Irwin L. Morris and Joe A. Oppenheimer and Karol Edward Soltan (California: Stanford University Press, 2004), 9.

controversial issue in the RCT literature which we will need to deal in the next chapters of this dissertation.⁷⁰

In spite of these challenges and the arguments raised against to the RCT and the PCT, I think that we can test the theories as potential models whether they are successful in explaining one of the most complex areas of human behavior which is the sphere of culture. So far, the domain of culture is not analyzed by the norms of rationality for various reasons. The widespread research method about this domain is to give an interpretation of cases and principles that constitute cultures and identities.⁷¹ Of course, this type of research is culture-related and cannot be generalized as a theory of all cultural behavior. However, choice theories can provide an explanation for cultural behavior.⁷² Accordingly, by placing the individual at the center and by assuming that cultural area is not different than market place or ballot box, we can redefine and analyze cultural behavior, which is traditionally defined by referring to supposedly irrational phenomena such as passions and emotions, or by referring to collective entities such as nations, communities, societies. What can we expect from this analysis? Such an analysis, which is based upon choice theories, will enable us to analyze the cultural process in a systematic manner, which has not been previously made. Therefore this project is sensitive to the real life problems and of value for the society in general.

1.5. The Argument and Framework of Dissertation

In this research, I primarily aim to do three things in every successive chapter: first, I will present the RCT and the PCT as explanations for human behavior; second, I will try to test their power by applying them to the sphere of culture;

⁷⁰ Daniel M. Hausman, "Philosophy of Economics," *The Stanford Encyclopedia of Philosophy* (Winter 2013), ed. Edward Zalta, www.plato.stanford.edu/archives/win2013/entries/economics

⁷¹ Mark Irving Lichbach and Alan S. Zuckerman, *Comparative Politics* (Cambridge: Cambridge University Press, 1999), 7.

⁷² *Ibid.*, 5.

and third, I will point out to the shortcomings of the model and finally provide some revisions. Hence, the dissertation is divided into three chapters.

The first chapter presents the first assumption of the RCT, methodological individualism and utility maximization as a model, and then applies the model to culture and identity; the aim of the first chapter is to criticize the model and its application in the light of the challenges. The second chapter presents the main assumptions of the PCT: the exchange theory and government failure. Then it applies these assumptions to cultural behavior. Lastly, it discusses the possible advantages and disadvantages of the application by providing four criticisms. The third chapter introduces constitutional cultural rights as an application of constitutional economy to culture and two further criticisms are suggested to make the RCT and the PCT more accountable for human behavior.

With the help of these models, we may understand how reason motivates us and why we should follow certain reasons. Further they make it understandable that individuals are goal oriented beings who make rational preferences in their self-interest and who try to maximize their benefits and minimize their costs in regard to the pursuit of individual utilities and collective goods. Therefore, it seems that we cannot ignore the RCT and the PCT in social studies and these theories will continue to be an influential. As Robert Grafstein notes, “for the foreseeable future, rational choice theory will be a fundamental tool for interpreting human behavior because rationality is the conceptual glue linking preferences and beliefs to meaningful actions.”⁷³ Or, as Elster says “the rational choice approach to human behavior is without much doubt the best available model.”⁷⁴ These quotes point to a common perspective: the allure of the rational choice theories not only to the scholars in social sciences but also to philosophers as well.

⁷³ Robert Grafstein, “Thick Rationality and the Missing ‘Brute Fact’: the Limits of Rationalist Incorporations of Norms and Ideas-Comment,” *The Journal of Politics* 59 (1997): 1040-1047.

⁷⁴ Jon Elster, *Ulysses and the Sirens* (Cambridge: Cambridge University Press, 1984), 112.

I believe that philosophers should investigate choice theories critically to develop a broad perspective about human behavior. To this aim, I will explain and criticize the choice theories in the following chapters. The criticisms of application in the three chapters show that the choice theories fail to account for all the complexity and subtlety of cultural behavior. That is why I introduce the following ten criticisms to reveal the theories' shortcomings:

- [i] Relations among individuals enhance rationality;
- [ii] Individuals are not perfectly rational;
- [iii] Instrumental rationality cannot explain fully human behavior;
- [iv] Institutions and structures cannot be reduced to individual choices.
- [v] Following norms is not incompatible with utility maximization;
- [vi] Dynamic nature of norms and interactions among rational individuals can be fully accounted through integrating evolutionary approach into the choice theories;
- [vii] Sympathy, trust and commitment among other values must be an integral part of rational behavior so that complex behavior can be explained consistently in the PCT framework;
- [viii] The PCT fail to produce empirically satisfactory findings for cultural behaviors.
- [ix] Making a constitution is not just about proposing fair rules and just laws to be included in a constitution; it is also about the relative merits of the constitution makers.
- [x] Only a neutral constitution can justify the necessary constraints for cultural behavior.

With these criticisms, I intend to disprove present arguments in favor of the RCT and the PCT and provide criticism which will give an account of complex human behavior that cannot be explained satisfactorily by the thin theories of rationality. Therefore in this dissertation, I will draw upon the contemporary debates on rationality, in particular instrumental rationality focusing on the issue of culture and identity to analyze them in a wider philosophical and critical perspective.

CHAPTER 2

RATIONAL CHOICE THEORY APPLIED TO CULTURE AND IDENTITY

2.1. The Problem

In daily life, we face many situations that require us to make decisions among alternatives. But it is not always easy to find which choice is “the best one” for us in advance. Moreover, the relationship between the principles of rationality that we presumably apply and the principles of action we follow is of a complex character.¹ How do we evaluate the alternatives and how do we make the best choice available for us in these circumstances? The RCT scholars believe that the theory provides an answer through determining the process of decision making within a framework of the instrumental rationality.² They want to cast the process of decision making in a formal structure and explain strategies that two or more players may employ when they face a common problem. They evaluate consequences of decisions of players, and the utility that results from their choices and actions.

Even though RTC is based on very narrow economic assumptions, it claims to explain a wide range of behavior in psychology, sociology, and politics. According to the theory, individuals have the capacity to behave

¹ It is true that people do not make the best choice in some cases, for these and related problems, see George Tsebelis, *Nested Games: Rational Choice in Comparative Politics* (Berkeley: University of California Press, 1990).

² The choice theories are usually studied under three subtitles: (1) Rational Choice Theory (2) Public Choice Theory (3) Social Choice Theory. For a comprehensive introduction to decision theory, see Michael D. Resnik, *Choices: an Introduction to Decision Theory* (Minneapolis: the University of Minnesota Press, 1987), 3-19.

rationally when they are fully informed about the alternatives. They can make comparisons among the alternatives and decide rationally the best choice possible.³ This is their distinctive nature as human beings.

Despite the ambitious goals of the rational choice theory, there are scholars in various domains who claim that human beings are not that rational after all and argue that human beings are motivated by their passions and emotions in their actions and they act irrationally defying the rules of rationality in many cases.⁴ The domain of culture is one such case where individuals follow the rules that are dictated by the collectivities such as cultural groups, communities, and nations. Individuals, according to this view, are situated as passive receivers in their social and cultural environment, and culture provides all available preferences for individuals. Individuals, in a society, do not have to consider alternatives and make the best possible choice. Group affiliation also explains why members of the same group are similar and behave similarly. Group sets the stage, defines the roles, dictates the rules, imposes the choices, and provides an overall identity for its members. This creates certain advantages for the individuals from facilitating cooperation to establishing homogeneity. However, do these advantages dismiss the need for rational decision making at the individual level with regard to identity and culture?

In this chapter I will investigate whether principles of the RCT are suitable for human rationality in all walks of life. I will also reevaluate certain traditional ideas regarding identity and culture so as to bring them within the scope of the RCT. To this aim, I will critically focus on principles of the RCT and then I will choose cultural behavior as an example to test whether the choice theories explain human behavior successfully. I will apply the principles of the RCT to the area of culture to see whether it meets the requirements. If the RCT is successful in the area of culture, this means that it has the potential to explain all kinds of human behavior in general; if not, this implies that the RCT

³ Irwin L. Morris and J. A. Oppenheimer, "Rational Choice and Politics" *Politics from Anarchy to Democracy*, ed. Irwin L. Morris et al. (California: Stanford University Press, 2004), 9.

⁴ Dan Ariely, *Predictably Irrational* (New York: HarperCollins Publishers, 2008).

has some boundaries and it falls short of explaining the complexity and subtlety of cultural behavior. The chapter is divided into three sections: First, I present the RCT as a scientific model; second, I apply this model to cultural behavior, and finally I discuss the shortcomings of the model and provide some suggestions to overcome them.

2.2. Model: Rational Choice Theory

To explain main features of the RCT, I will begin with the less controversial principles of the theory that are generally accepted by its supporters. I will explain the basic axioms in the following order: (1) *Purposiveness* and *Preferences* (2) *Utility Maximization* (3) *Methodological Individualism*. These axioms will mainly respond to the following questions: Who are the rational players? What choices do they have? What are the possible outcomes that may result from their interaction?

2.2.1. Purposiveness and Preferences

Purposiveness is the most basic assumption of RCT and it maintains that there exist human beings who are capable of acting purposefully in the world. In other words, human behavior is intentional, purposeful, and goal-seeking.⁵ It is true that individuals now and then do act irrationally, impulsively or habitually. This does not make them habitual, impulsive irrationals. Given the cognitive capacities they have and the full knowledge of the alternatives, they *can* make rational preferences. They are capable of evaluating among alternatives, and making a choice among them in order to satisfy their intentions.⁶ Intention is a basic desire to bring about something to meet some specific target.⁷ For

⁵ Victor J. Vanberg, "Rational Choice versus Program-Based Behavior: Alternative Theoretical Approaches and their Relevance for the Study of Institutions," *Rationality and Society* 14 (2002): 7-54.

⁶ Frank Lovett, "Rational Choice Theory and Explanation," *Rationality and Society* 18 (2006): 237-272.

⁷ Peter C. Ordeshook, *Game Theory and Political Theory* (New York: Cambridge University Press, 1986), 2.

example, when renting an apartment, we consider location, condition, safety; when buying a car, we look for safety, reliability, and price etc.; when deciding which candidate to vote for, we examine candidates or evaluate their political programs. When we make our decisions among the political candidates, certain psychological drives, organizational norms, or other influences may play a role. Such things, however, can be overcome and the RCT posits that individuals pursue their goals rationally according to the beliefs, intentions and information that they have.⁸ From the rational choice point of view, making a good decision requires, first of all, figuring out the goals and evaluating the priority of each goal and then making an assessment of how likely each option is to meet our specific goals.⁹ A rational individual seeks to find out which alternative is the best one in a given decision making problem and makes the choice accordingly, i.e., according to the principles of decision making studied by the philosophers, psychologists, economists, and other fields. It is possible to define rational individual as a person who is free, self-sufficient, knowledgeable what is good or preferable for herself or himself, fully informed about relevant alternatives or matters, and has the capacity to make a choice that would match her means with her ends. Therefore, the process of decision-making begins with the question: “What do I want?” and proceed with “How do I achieve what I want?”

The above questions lead us to find an explanation for actions within the framework of rationality. The RCT is generally assumed to be based on instrumental rationality to give explanations. If the individuals have the full knowledge about the alternatives and have a chance to make relevant comparisons among them, they would make rational decisions, notwithstanding their occasional irrational decisions. Therefore, for the RCT, the main principle is to prepare the conditions in which free and competent individuals form their beliefs and make their decisions according to the preferences as they see it

⁸ Morris P. Fiorina, “Rational Choice in Politics,” *International Encyclopedia of the Social & Behavioral Sciences*, ed. Neil J. Smelser and Paul B. Baltes (New York: Elsevier, 2001), 12761.

⁹ Barry Schwartz, *The Paradox of Choice: Why More is Less* (New York: HarperCollins Publishers Inc., 2004), 47.

proper. Needless to say, there are certain rules of rationality when this decision is made. However, these rules unanimously agreed and vary among the scholars of the RCT. For example, Mary Zey lists five axiomatic requirements such as consistency, transitivity, independence, continuity and monotonicity,¹⁰ while Parsons mentions four axioms such as reflexivity, completeness, transitivity, and continuity.¹¹

Among the axioms the followings are prominent: preference order, transitivity and consistency. First, the alternatives in this set must have a rational preference ordering or rational utility *order*. In other words, each rational individual must have an explanation for why he or she orders these alternatives in that specific way (why certain alternatives are or are not to be preferred to others). This preference set gives the list of the items that the individuals have come to know during their lifetime, and they tend to attribute certain differences to them in accordance with their preferences. In addition, a set of feasible actions is required. These are the actions that one knows that one can perform. Even if an action is available, if the person does not know about it, then it cannot be included in the set of feasible actions.¹² Thus, individuals who are knowledgeable about the set of alternatives and the set of feasible actions and who can make preferences in accordance with their utility order are rational.

The second principle with the choice set is *transitivity*. According to this principle, the order of alternatives must be consistent or alternatively there should not be an inconsistency in the order. For example, if a person prefers (x) to (y); (y) to (z); he or she must prefer (x) to (z). Transitivity is a particular type of preference relation and ordering. To characterize rational choice we need the concept of a preference ordering. Choice is rational if and only if it can be

¹⁰ Mary Zey, *Rational Choice and Organizational Theory* (California: Sage Publications, 1998).

¹¹ Stephen Parsons, *Rational Choice and Politics: A Critical Introduction* (New York: Continuum International Publishing Group, 2005), 20.

¹² Cristina Bicchieri, "Rationality and Game Theory," *The Oxford Handbook of Rationality*, ed. Alfred R. Mele and Piers Rawling (Oxford: Oxford University Press, 2004), 183.

explained by a preference ordering. In other words, if choice is rational, choices and preference orderings are effectively same. Indeed, we can consider the preference ordering underlying a choice as the reason for that choice.¹³ That is, if an individual prefers (x) to (y), and (y) to (z), then she necessarily prefers (x) to (z), and further if she is indifferent between (x) and (y), and indifferent between (y) and (z), then she is necessarily indifferent between (x) and (z).¹⁴

The third and perhaps most discussed principle from the point of rationality is *consistency*. As Elster suggests, “consistency in fact, is what rationality in the thin sense is all about: consistency within the belief system; consistency within the system of desires; and consistency between beliefs and desires on the one hand and the action for which they are reasons on the other hand.”¹⁵ However, for Shapiro and Green, the requirement of consistency is too strong and it must be relaxed. One way to loosen this requirement, for them, is “to remain agnostic about whether the content of a belief is true or false, requiring only that an agent’s beliefs be rationally updated as he or she encounters new information.”¹⁶ This suggestion, rather than as a challenge, can be interpreted as in harmony with the RCT’s idea that the concept of rationality has no real content. In other words, the notion of rationality, in this account, equals consistency: an individual is rational to the extent that her choices are

¹³ Michael Allingham, *Rational Choice Theory: Critical Concepts in the Social Sciences*, ed. Michael Allingham (New York: Routledge, 2006), 3.

¹⁴ Among other axioms are context independence and choice determination. Context independence can be expressed as follows: Among the alternatives x and y, a person’s preference ranking of x and y is independent of what other alternatives that person has. In other words, preferences among pairs of alternatives never depend on what other alternatives are available. Choice determination: if a person knows which alternatives are feasible—that is, which alternatives can be chosen—then she or he makes knowingly inferior choices. Among the feasible alternatives they know of, people always prefer higher ranking ones.

¹⁵ Jon Elster, *Sour Grapes: Studies in the Subversion of Rationality* (Cambridge: Cambridge University Press, 1983), 1.

¹⁶ Donald Green and Ian Shapiro, *Pathologies of Rational Choice Theory: A Critique of Applications in Political Science* (New Haven and London: Yale University Press, 1994), 10.

consistent with one another.¹⁷ However, in contrast to general approval of consistency among the choice theorists, Gilbert Harman claims that rationality does not require consistency, since, according to him, “you can be rational even though there are undetected inconsistencies in your beliefs, and because it is not always rational to respond to the discovery of inconsistency by dropping everything else in favor of eliminating that inconsistency.”¹⁸

It seems that, according to Harman, we have to live with a certain amount of inconsistency. I do not think that Harman would condone inconsistencies that are strong enough to paralyze our cognitive capacities or he would tolerate them long enough to create a gridlock in our belief system. His first point about undetected inconsistency is not directly related to the axiom of consistency in the rational choice theory, because of the full information constraint. As long as an inconsistency is unconscious, there is not much that can be done about it, except to urge to look for and eliminate it when making a choice. Second point, however, is more serious and the rational choice theory does not have a clear guidance in the face of inconsistency which is fully acknowledged. It does not prescribe us how to clear our decisions from inconsistency, in other words, it does not tell us which inconsistent belief is to be left to recover consistency. The RCT is not concerned about the content of the beliefs and it does not determine the ends. It leaves it up to the individual. Further the RCT does not define or determine the preference but only imply some crucial features or criteria for how to think about them. For example, the individuals are supposed to follow the formula: “An alternative is (*uniquely*) *best* if and only if it is better than all other alternatives. If there is a uniquely best alternative, choose it.”¹⁹ This formula also establishes a ground for another axiom of RCT: utility maximization.

¹⁷ Robert Sugden, “Rational Choice: A Survey of Contributions from Economics and Philosophy” *Rational Choice Theory: Critical Concepts in the Social Sciences*, ed. Michael Allingham (London and New York: Routledge, 2006), 129.

¹⁸ Gilbert Harman, “Rationality,” *An Invitation to Cognitive Science: Thinking*, ed. Daniel N. Osherson and Edward E. Smith (Massachusetts: MIT, 1995), 187.

¹⁹ Sven Hansson, *Decision Theory: A Brief Introduction*, www.home.abe.kth.se/~soh/decisiontheory.pdf

2.2.2. Utility Maximization

The RCT accepts individuals as “utility maximizers.” Utility analysis is the investigation of how consumers reach decisions to achieve utility maximization. This term is used in a restricted, technical sense in contemporary debates.²⁰ So the theory assumes that after considering all possibilities and carefully weighing the pros and cons of each of alternative, a rational actor makes a “cool and clearheaded ends-means calculation.”²¹ Obviously, such a calculation requires that an actor have a complete perception of the implications of all her choices and a well-defined set of preferences concerning them. It also requires that she assess the preferences of other relevant actors and their possible strategies and responses to her choices.²² That is, individuals calculate and recalculate the changing conditions and then act rationally.²³ To say that an individual is a utility-maximizer means that individuals choose the action whose consequence is the most preferred. In other words, the definition of a utility maximizer is: if a person is a rational agent and her choices always are the most likely ones to maximize her personal profit, then she is a utility maximizer.²⁴

Rational choice calculation focuses on decisions involving the choices of an individual over a set of alternatives such as whether she prefers to go to the cinema or library; whether she majors in philosophy, politics, or engineering, etc. The effect of other individuals for her decisions is not included in calculation. However, most of our decisions are not made in isolation and

²⁰ Parsons, *Rational Choice and Politics: A Critical Introduction*, 10.

²¹ Sidney Verba, “Assumptions of Rationality and Non-rationality in Models of the International System,” *The International System: Theoretical Essay*, ed. Klaus Knorr and Sidney Verba (Princeton: Princeton University Press, 1961), 95.

²² Frank C. Zagare, “Rationality and Deterrence,” *World Politics* 42 (1990): 239.

²³ Jonathan Turner, *The Structure of Sociological Theory* (California: Wadsworth Publishing, 1991), 354.

²⁴ Michael D. Resnik, *Choices: An Introduction to Decision Theory* (London: Minnesota University Press, 1987), 4.

they relate to the other people's preferences as well.²⁵ To integrate this, game theorists developed a framework to analyze at least two people's marginal utilities in an interactive game.²⁶ Here the word *game* is a metaphor for human interactions in which the outcomes depend on the respective strategies of two or more persons, who have opposed or at best mixed motives. As in many other games, the individual's choice is essentially a choice of strategy, and the outcome of the interaction depends on the strategies chosen by each of the participants. In this framework, each player or participant faces a set of possible strategy choices to provide a distinct and interdisciplinary approach to the study of human behavior. That is, the game theory examines the ways in which strategic interactions among rational players produce outcomes with respect to the preferences (or utilities) of those players. Outcomes of a game are jointly determined by the strategy choices of all the players, since one agent's preferences and actions depend on the preferences and actions of the other agent. Thus, while the RCT analyzes the outcomes of individual choices, game theory goes a step further and explains the rationality of individuals in an interactive setting.²⁷

Consider a hypothetical situation in which a husband and a wife agree to attend an event in the evening. The husband prefers boxing match while the wife prefers opera; yet, both prefer being together to being apart. They must decide simultaneously and without communication which event to attend. If they cannot communicate, where should they go?

²⁵ Resnik, *Choices: An Introduction to Decision Theory*, 121.

²⁶ Game theory was founded by the mathematician John von Neumann who wrote *The Theory of Games and Economic Behavior* in collaboration with Oskar Morgenstern. The theory is used in preparing political scenarios both national and international, in wide ranging areas, economics, organizations, war strategies, social psychology, computer science, statistics and others.

²⁷ According to Frank Lovett, game theory explains the less familiar with reference to the more familiar. The theory also has some other virtues: "first, it does not black-box the causal process leading from the less familiar to more familiar, but on the contrary draws it out as explicitly as one might reasonably hope; second, it does this using a conceptually simple, yet also extraordinarily flexible set of tools shared by nearly all rational choice theorists." Lovett "Rational Choice Theory and Explanation" *Rationality and Society*, 237-272.

Players : Woman and Husband
Strategy 1: Boxing
Strategy 2: Opera

Table 1: Battle of the Sexes²⁸

Wife	Husband		
		Boxing	Opera
	Boxing	1,2	0,0
	Opera	0,0	2,1

As we saw, the utility theory provides a mathematical representation of what we expect actors to do. The above game is called “Battle of the Sexes” and it is explained as follows²⁹: The wife chooses a row and the husband chooses a column. In each cell, the first number represents the payoff to the wife and the second number represents the payoff to the husband.³⁰ If there is no way of communicating with each other, and one has to go the place where the other person is likely to go, then:

- [i] The man has two choices: going to the sport event and wait for the woman to arrive or going to the concert and wait for her to arrive.
- [ii] The woman faces the same situation. She can either to go the concert and wait for him there or she can go the sporting event.
- [iii] Both the man and the woman are in a dilemma as where to go.
- [iv] The rational strategy for both the man and the woman is to comply with the other’s strategy.

²⁸ The table adapted from Kevin Gibson, “Game Theory,” *Encyclopedia of Business Ethics and Society*, ed. Robert W. Kolb (Los Angeles: Sage Publications, 2008), 969.

²⁹ Steven J. Brams, *Game Theory and Politics* (New York: Dover Publications, Inc., 2004), 29.

³⁰ In the game theory examples, the payoffs (i.e., numbers in the cells of the tables) are given arbitrarily depending upon the scenario of the game. These payoffs can be increased or decreased without much altering the underlying structure of the preferences they represent.

In this way, a fairly complicated situation arises at the level of beliefs, strategies and actions:

[A] player's action, in principle, depends on the actions available to her, each agent's preferences on the outcomes, each player's beliefs about which actions are available to each player and how each player ranks the outcomes, and further her beliefs about each player's beliefs.³¹

The founders of game theory, Von Neumann and Morgenstern, assume that rational players know all about the structure of the game which they are playing, and they also know all about the beliefs and motives of the other players. Moreover, the players assume that every player is rational. In this case, each player will behave rationally by maximizing her expected utility regardless of the other person's preferences. Indeed, the basic idea that each person maximizes his or her benefits serves a double purpose: first, the RCT narrows the range of possibilities of action, since rational behavior is more predictable than irrational behavior.³² Second, the RCT can explain and predict choices and behavior of individuals based upon the utility maximization. Therefore, the RCT is preferred to other theories that aim to explain individual choices and behavior since it provides an evaluation criterion for decision making.

2.2.3. Methodological Individualism

So far, I just focused on purposeful choices of individuals and did not mention anything about collective choices, since the rational choice theorists in general believe that the groups or institutions cannot be rational (or non-rational for that matter) and they cannot make choices like individuals with information and necessary skills to make rational decisions. Moreover, groups, societies, nations, institutions, or collectivities as they are called, cannot be the point of

³¹ Muhammet Yıldız, *Economic Applications of Game Theory*, MIT, 2003, http://web.mit.edu/14.12/www/02F_lecture102.pdf

³² Russell Hardin, "Rational Choice Explanation: Philosophical Aspects," *International Encyclopedia of the Social & Behavioral Sciences*, ed. Neil J. Smelser and Paul B. Baltes (New York: Elsevier, 2001): 12755-12760.

departure for analysis of decisions and can only be interpreted in terms of the cooperation of the individuals.³³ Or more sharply, as Elster said, collective desires or collective beliefs do not exist.³⁴ That is, “social outcomes can be explained as the aggregate effect of the individually rational actions of a set of actors.”³⁵ This is the idea of methodological individualism developed as a method of explanation in social sciences at the turn of the twentieth century.

Steven Lukes mentions a number of components for the idea of individualism one of which is methodological individualism which is relevant to our discussion of rationality and rational choice within the context of relations between individuals and society.³⁶

The theory of individualism has a long history and has been debated among the different schools of philosophy. Since the purpose of this section is not to resolve these controversies, I will not go into details here. What I shall try to do is merely to provide a brief exposition of methodological individualism within the framework of RCT.³⁷ However, several authors pointed out that the idea goes back to Thomas Hobbes who believed that understanding of the whole required first the understanding of its components, the understanding of its constitutive causes. He further claimed that in order to explain social complexity, we need to explain first “men as if but even now sprung out of the earth, and suddenly, like mushrooms, come to full maturity,

³³ Sinisa Malesevic, “Rational Choice Theory and the Sociology of Ethnic Relations: A Critique,” *Ethnic and Racial Studies* 25 (2002): 194.

³⁴ Jon Elster, *Making Sense of Marx* (Cambridge: Cambridge University Press, 1985), 3.

³⁵ Daniel Little, “Methodological Individualism,” *Encyclopedia of Political Theory*, ed. Mark Bevir (Thousand Oaks, CA: Sage, 2010), 881-884.

³⁶ These components are (1) the intrinsic value of the individual human being as a moral principle; (2) individual self-development; (3) self-direction or individual autonomy; (4) the notion of privacy; (5) the idea of the abstract individual; (6) methodological individualism; (7) political individualism; (8) economic individualism; (9) religious individualism; (10) moral individualism; (11) epistemological individualism. Lukes, “Types of Individualism,” 597-603

³⁷ For the detailed historical information see: Lars Udehn, *Methodological Individualism: Background, History and Meaning* (New York: Routledge, 2001).

without all kind of engagement to each other.”³⁸ John Stuart Mill too favored explaining social events by referring to individuals. He said: “the laws of the phenomena of society are, and can be, nothing but the actions and passions of human beings” which are “the laws of individual human nature.”³⁹ He denied that individuals when they gather turned into different substance. However, it was in America that the concept of individualism found its real home. For many American thinkers, it meant “the actual or immanent realization of the final state of human progress, an order of equal individual rights, limited government, laissez-faire, natural justice, and equality of opportunity, and individual freedom, self-development, and dignity.”⁴⁰

The main idea of methodological individualism is that society consists of individuals. This is a fact that no one can deny but it is also a truism bordering tautology. Similarly, methodological individualism is interpreted by some as that facts about the society can only be explained through the facts about the individuals, an interpretation which was supported by Friedrich von Hayek who says: “there is no other way toward an understanding of social phenomena but through our understanding of individual actions directed toward other people and guided by their expected behavior.”⁴¹ Similarly, Karl Popper in his *Open Society and its Enemies* argues that “the important doctrine that all social phenomena, and especially the functioning of all social institutions, should always be understood as resulting from the decisions, actions, attitudes, etc., of human individuals, and [...] we should never be satisfied by an explanation in terms of so-called ‘collectives’[...]”⁴²

³⁸ Thomas Hobbes, *The Citizen* (New York: Appleton-Century-Crofts, Inc, 1949), 100.

³⁹ John Stuart Mill, *A System of Logic* (New York: Harper & Brothers, 1874), 1.

⁴⁰ Steven Lukes, “Types of Individualism,” *The Dictionary of the History of Ideas* 4, ed. Philip P. Weiner (New York: Charles Scribner’s Sons, 1973), 596.

⁴¹ Friedrich von Hayek, *Individualism and Economic Order* (Chicago: The University of Chicago Press, 1980), 6.

⁴² Karl Popper, *The Open Society and Its Enemies* (London: Routledge and Kegan Paul, 1945), 91.

Hayek was particularly concerned with the centralized rationalistic planning in economics and politics. He believed that even in economics macro explanations must be answerable to micro events. Individual actions and preferences, according to him, do not necessarily determine the outcome at which they intend. Individuals also do not always react to macro explanations. They do not act, for example, in reaction to inflation or unemployment rate but they respond to the prices of the commodities and consumption goods in their immediate environment. In many cases, their individual preferences lead to consequences that they did not intend. Thus the economist must see economic relations through the eyes of the individual actions and preferences. Hayek gives the example of a person opening a path in the woods through the easiest and shortest possible way. The next person follows in his footsteps, since it is also in his interest to do so rather than opening a new path. So is the third and fourth person. But none of those who passed through that path had the intention of opening a road for general purposes. It was an unintentional and spontaneous development. Hayek says: "Human movements through the district come to conform to a definite pattern which, although result of deliberate decisions of many people, has yet not been consciously designed by anyone."⁴³ Hayek emphasizes both the limitations of the individual's perspective and the limits of centralized rational planning. Methodological individualism helps us to see the shortcomings of our limited perspective and the dangers in centralized rational planning. Hayek argued against dismissing the individual actions and events to regulate macro level events and processes. The limitation of individual perspective was later developed into a comprehensive theory to provide a cognitive background in economics by Herbert Simon with his theory of bounded rationality which I have mentioned briefly.

Joseph Schumpeter who was a student of Weber used the term of "methodological individualism" the first time, and he also believed that social

⁴³ Friedrich von Hayek, "Scientism and the Study of Society I," *Economica* 9 (1942), 289.

phenomena should be explained entirely in terms of individuals.⁴⁴ For him, this idea “just means that one starts from the individual in order to describe certain economic relationships.”⁴⁵ He clearly separates political individualism from methodological individualism⁴⁶ and argues that

Both concepts have nothing in common. The first refers to general statements like the freedom of people to develop themselves and to take part in well-being and to follow practical rules. The second does not include any proposition and does not involve a specific starting point. It just means that one starts from the individual in order to describe certain economic relationships.⁴⁷

Schumpeter draws a very narrow framework for methodological individualism which does not include any application to economic development, innovation, bureaucracy and democracy, since he believes that society has no brain or nerves in a physical sense and therefore cannot feel, desire or decide.⁴⁸ So, the reasoning which is used for individuals cannot be directly applied to society as a whole. Although in his book *The Economics and Sociology of Capitalism* he seems to argue for a general concept of *methodological pluralism*,⁴⁹ as Heertje

⁴⁴ There is a consensus among scholars that the concept of methodological individualism should be traced back to Joseph Alois Schumpeter (1883-1950), who is accepted as one of the greatest economists and political scientist. He deeply believed that innovation in the form of creative destruction is the driving force for capitalism. For details, see Thomas K. McCraw, *Prophet of Innovation: Joseph Schumpeter and Creative Destruction* (Cambridge: Harvard University Press, 2007).

⁴⁵ Joseph A. Schumpeter, “On the Concept of Social Value,” *Quarterly Journal of Economics* 23 (1908): 213–232.

⁴⁶ Geoffrey M. Hodgson, “Meanings of Methodological Individualism,” *Journal of Economic Methodology* 14 (2007): 213.

⁴⁷ Translated and cited by Arnold Heertje, “Schumpeter and Methodological Individualism,” *Journal of Evolutionary Economics* 14 (2004): 153.

⁴⁸ Schumpeter, “On the Concept of Social Value,” 213-232.

⁴⁹ “In some problems of sociology or political life and so on we have no choice but to start from the social whole. In other cases, such as market phenomenon and most problems of modern industry, there is no choice but to start from the individual. In one class universalism and in the

indicated, in Schumpeter's thinking, "methodological individualism restricts itself to the relationship of prices and the behavior of individuals."⁵⁰ Despite his insistence on the limited definition of methodological individualism, after him, some authors have used this term not just to explain economical but also social and political behavior as well. For example, Ludwig von Mises in his book *Human Action* introduces a broad application of the term and claims that "the life of a collective is lived in the actions of individuals constituting its body. [...] There is no substratum of society other than the actions of individuals."⁵¹ It means that methodological individualism is the view that social explanations are reducible to individual level explanations.⁵² Moreover, Mises insisted that economic action is rational action and methodological individualism comes from this idea: "All rational action is economic. All economic activity is rational action. All rational action is in the first place individual action. Only the individual thinks. Only the individual reasons. Only the individual acts."⁵³

Max Weber through his student Schumpeter became influential in the debates on methodological individualism. Weber saw a distinction between natural and social sciences in the way they explained the phenomena. Natural sciences aimed objective explanation while social sciences at interpretation. Unlike the natural scientist, the social scientist has to refer to the mental states of the individuals which are not objectively available to her but only

other class individualism is the indicated method. Therefore we ought to be neither individualistic nor universalistic. It is a matter of convenience; neither individualism nor universalism is an eternal truth." Joseph Schumpeter, *The Economics and Sociology of Capitalism* (Princeton: Princeton University Press, 1991), 286.

⁵⁰ Heertje, "Schumpeter and Methodological Individualism," 153.

⁵¹ Ludwig von Mises, *Human Action: A Treatise on Economics* (New Haven: Yale University Press, 1949), 41-43.

⁵² A. Sober Levine and E.O. Wright, "Marxism and Methodological Individualism," *New Left Review* 162 (1987): 71.

⁵³ Ludwig von Mises, *Socialism: An Economic and Sociological Analysis* (New Haven: Yale University Press, 1951), 113.

subjectively expressible through language. Weber saw human behavior as a subset of actions in general, for example, coughing is a human action but apologizing is a behavior which has an intentional dimension. Without understanding this subjective dimension, Weber argued, it was not possible to have an explanation for relevant social phenomena. As Heath interprets Weber, “...without knowing why people do what they do, we do not really understand why any of the more large-scale phenomena with which they are embroiled occur.”⁵⁴

Similarly, we may not have full understanding of social movements and tendencies without first understanding the individual’s beliefs, intentions, desires and preferences. This explains why the RCT and methodological individualism usually are taken to support each other due to the emphasis methodological individualism puts on subjective, intentional, interpretational dimensions of human behavior. Another important aspect of methodological individualism that concerns us here has its origin in Weber, in his theory of ideal types. Weber believed that historical explanation may refer to the individual intentions but sociological explanation cannot just rely on subjective interpretations. It has to make some generalizations and develop a model about human actions and this model is the model of rational human action.⁵⁵ Weber considered all irrational human actions “as factors of deviation from a conceptually pure type of rational action.”⁵⁶ According to Joseph Heath, Weber’s methodological individualism “puts rational action theory at the core of social-scientific inquiry” and it is this idea that led social scientists of the later period to come up with a general unified theory of action. The project

⁵⁴ Joseph Heath, “Methodological Individualism,” *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, <http://plato.stanford.edu/archives/spr2015/entries/methodological-individualism>.

⁵⁵ Ibid.

⁵⁶ Cited by Heath, “Methodological Individualism”; Max Weber, *Economy and Society*, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1968), 6.

lapsed but is later revitalized by Jürgen Habermas in his work *The Theory of Communicative Action*.⁵⁷

From these explanations, we can summarize main principles of methodological individualism as follows:⁵⁸

- [i] Social phenomena should be explained entirely in terms of individuals alone: or social explanations must be derivable from facts about individuals;⁵⁹
- [ii] Social phenomena should be explained in terms of relations between individuals; or scientific statements about society must be reducible to statements about individuals and their properties and relations;
- [iii] Social phenomena are some kind of ordered whole and unitary collective.⁶⁰

I believe that first and second interpretations, taken together, capture gist of methodological individualism. Third idea is about collective decision making which I will deal in the next chapter. Even if the first and second interpretations catch the main idea of methodological individualism, definitional ambiguities still remain. Nevertheless, those scholars who defend methodological individualism generally insist on the importance of individuals and their purposeful behavior to explain all facts about society and social phenomena.⁶¹

It is true that all rational individuals when they face similar problems do not necessarily make the same preferences. Life is full of different alternatives in similar situations. It is quite normal for a rational person to make preferences that are different and incongruent than the preferences of other rational persons

⁵⁷ Cited by Heath, "Methodological Individualism."

⁵⁸ Hodgson, "Meanings of Methodological Individualism," 220.

⁵⁹ Little, "Methodological Individualism," 881-84.

⁶⁰ Udehn, *Methodological Individualism: Background, History and Meaning*, 1.

⁶¹ Hodgson, "Meanings of Methodological Individualism," 211.

in similar situations. Since this is a fact of life, the public choice with its assumption of the political rational human beings has to tackle the following problem: how can public choice be determined when the individuals have conflicting views, values and preferences? In other words, how can individual preferences be merged into a single coherent public choice? Here an analogy suggests itself between the rational decision of the individual and the rational choice of a group or society. There seems to be no problem for the public choice when all relevant individuals think in a similar way and gather around similar demands and choices. But when they have differing preferences, public choice becomes much more difficult and in some cases, as we will see, impossible.

In conclusion, the RCT begins from the viewpoint of the individual, rather than from the view point of collectives. The emphasis on the individual and on his or her interests is always a starting point for any theory of rational choice. Different theories of rational choice may make somewhat different assumptions about the individual, and may chart a different map from individual to society, but each begins with the individual as the basic assumption of the theory. All are committed to the basic assumption of methodological individualism – the individual as the actor with an initial concern only about him or herself and his or her welfare. From this basis, the RCT sets on showing how cooperation or norms emerge, but the emphasis is always on the individual social actor. If we sum the main conclusions of this section, we can say:

- [i] There is a purposeful and goal oriented individual;⁶²
- [ii] This individual has various sets of hierarchically well-ordered preferences, and these preferences serve as a guide to action;
- [iii] Individuals act for to satisfy their preferences; namely, they calculate and recalculate the changing conditions and act rationally to maximize their utility;

⁶² Lovett “Rational Choice Theory and Explanation,” 237-272.

- [iv] The individual is the starting point for all the explanations, even social events and structures, collective decisions; collective behavior is ultimately the result of rational choices made by individuals.⁶³

2.3. Application: Culture and Identity

Whether identity and culture can be the subject of the free choice of rational individuals will be the main topic of this section. I will be mainly concerned with the following questions: Is the RCT applicable to all human behavior apart from the economic incentives and political considerations? Can individuals make any choice with regard to their culture or identity? Or are matters relating to culture and identity beyond individual preference? Furthermore, I will focus on two main problems in the context of culture: [1] underestimation of individuals' capacities by the essentialist cultural theories; [2] the inadequacy of these theories for cultural change and identity formation. I will first begin with the common traditional definitions of the concepts of culture and identity; next, I will argue that culture and identity are subject to cost-benefit calculation just like the issues that we have seen in the rational choice preferences.

I believe that application of the RCT to culture and identity will provide an insight into the intimate relation between rationality, individuality and culture. So far, the studies on rational choice tended to overlook the issues of cultural identity by claiming that these issues cannot be explained by rational reasons; they are emotional commitments inculcated in us by our parents, relatives, and other members in the society and they remain relatively stable throughout our lifespan. In a similar way, studies on cultural issues generally do not show any interest in the relationship between the rationality of individuals and cultural issues.

However, my overall goal in this section is to apply basic assumptions of rational choice theories to cultural behavior and to test whether it can explain human actions including cultural ones. I do not assume that this application will

⁶³ Turner, *The Structure of Sociological Theory*, 354.

exhaust all present problems concerning culture and identity by looking at them from the RCT perspective. Furthermore, my aim is not to find practical solutions for cultural problems but rather to present an application of the RCT as a model, examine its merits and show its shortcomings. The rational choice theory is not a panacea for all the ills of social and cultural life. It is rather a model that may have certain valuable but limited explanatory power which is missing in other models aiming to shed light on the complexity of human affairs.

2.3.1. Cultural Preferences

The classical theories related to culture, especially the essentialist ones, seem to underestimate the role of individual in the overall formation of identity.⁶⁴ One such theory claims that identity is *given* naturally to the individuals in a certain culture in spite of the changes and interactions among individuals, groups and communities.⁶⁵ This view is called as essentialism or primordialism. Essentialism, as a philosophical idea, advocates that for any specific entity, there is a set of certain attributes all of which are necessary to its identity and function. Things have essences and they have certain necessary properties and without these properties, things could not be what they are.

In the last two decades, the debate over the clash of civilizations has dominated the discourse in international relations and political science circles. Samuel Huntington's major works can be seen as striking examples of the essentialist theory of culture. His insistence on unchangeable nature of culture is obvious in the following quote:

In this new era, the single most immediate and most serious challenge to America's traditional identity comes from the immense and continuing immigration from Latin America, especially from Mexico, and the fertility rates of these

⁶⁴ Andrew Heywood, *Political Ideologies* (New York: Palgrave Macmillan, 2003), 37.

⁶⁵ See in particular: Luciano L'Abate, *Paradigms in Theory Construction* (New York: Springer, 2012).

immigrants compared to black and white American natives... This reality poses a fundamental question: Will the United States remain a country with a single national language and a core Anglo-Protestant culture? By ignoring this question, Americans acquiesce to their eventual transformation into two peoples with two cultures [Anglo and Hispanic] and two languages [English and Spanish]... Sosa ends his book, *The Americano Dream*, with encouragement for aspiring Hispanic entrepreneurs. "The Americano dream?" he asks. "It exists, it is realistic, and it is there for all of us to share." Sosa is wrong. There is no Americano dream. There is only the American dream created by an Anglo-Protestant society. Mexican Americans will share in that dream and in that society only if they dream in English.⁶⁶

Huntington claims that America was created by settlers who were mostly white, British, and Protestant, and whose values, institutions, and culture provided the foundation for the Americans as a nation.⁶⁷ Huntington defines culture and identity as social phenomena which represent the essential characteristics of a particular nation. For him, to be unique [not universal] is the basic feature of Western civilization.⁶⁸ This idea leads him to ignore the complex structure of societies and intermix between different cultures. In a similar way, theories of primordialism and culturalism suggest that since ethnicity is unchangeable and fixed, it just belongs to the realm of emotions and it is not subject to rational considerations.⁶⁹ Another contemporary scholar Walker Connor, for example, claims that "the national bond is subconscious and emotional rather than conscious and rational in its inspiration."⁷⁰ This reductionist approach assumes that the identical and similar cultural conditions at the community level create a

⁶⁶ Samuel P. Huntington, "The Hispanic Challenge," *Foreign Policy* 141 (2004): 30-45.

⁶⁷ Samuel P. Huntington, *Who Are We?* (New York: Simon & Schuster, 2005), 38.

⁶⁸ Samuel P. Huntington, "The West: Unique, not Universal," <http://cim.dcg.ibs.iscte.pt/Huntington%20-The%20West.pdf>.

⁶⁹ Jonathan Hearn, *Rethinking Nationalism: A Critical Introduction* (New York: Palgrave Macmillan, 2006), 20.

⁷⁰ Walker Connor, *Ethno-nationalism: the Quest for Understanding* (Princeton, N.J: Princeton University Press, 1994), 204.

situation in which all individuals perceive or react in the same way. These classical views of culture ethnicity and identity seem to ignore grossly the role of rational individuals over questions that matter to them most and focus just on how “culture precedes and determines the individuals belonging to it.”⁷¹

Rejecting the essentialist theories of culture, some scholars argue that internal and interactive dynamics and pluralistic nature of each civilization, continuing relations between cultures must be taken into consideration to have a meaningful theory about culture, ethnicity, identity, migration, globalization, and so on.⁷² Recent studies also challenge this concept of culture and national identity and deny that the nations are the only source for identity formation.⁷³ In the light of some empirical research, it is no longer tenable that cultures are unique and integrated unites, and they remain invariant without contradictions. Two approaches have been influential in weakening the classical views of culture and identity: nominalist philosophy and postmodernism. From the nominalist point of view, identities are just descriptions determined by social convention in language.⁷⁴ There is no hierarchy of the properties, distinctions and qualifications that can be taken to determine an aspect of a culture or identity.

Postmodernism, on the other hand, emphasizes diversity, pluralism and authenticity with regard to culture and identity by giving attention to the individual identities rather than holistic, unified and centered wholes. Accordingly, identities which are formed through interaction and influence might be altered, modified and abandoned at any time. They can be subject to change because as a recent scholar Paulo Moya argues, “essentialist approaches

⁷¹ Jens Martin Eriksen and Frederik Stjernfelt, “Culturalism-From Idea to Unconscious Presupposition,” *Sociologija* 52 (2010): 360.

⁷² Edward Said, “The Clash of Ignorance,” *The Nation Archive* 273 (2001): 12.

⁷³ Daniel Faas, *Negotiating Political Identities: Multiethnic Schools and Youth in Europe* (Farnham: Ashgate Publishing Group, 2010), 1.

⁷⁴ Chris Barker, *Cultural Studies: Theory and Practice* (London: Sage Publications, 2012), 20.

to identity suppress the heterogeneity within identity-groups while they posit arbitrary rules.”⁷⁵ Those rules, for postmodernists, develop master and meta-narratives of identity by underestimating the subject who “is constituted by the relationality of the social and, at the same time, constitutes itself against social constructions.”⁷⁶ In the age of globalization, with the rapid development of communication media, and the facile dissemination of information, culture and identity are no longer viewed as the ultimate, stable and unchanging reference points for the individuals.

In fact, anti-essentialist theories have reshaped our understanding of individual, culture, identity and society through demonstrating again and again that individuals have multiple dynamic options for their identities. Zygmunt Bauman has coined a new phrase for this new understanding: “liquid modernity.”⁷⁷ For him, the most characteristic feature of the liquid modernity is that people can freely choose their identities, since “distances and boundaries that previously held considerable separation power have been markedly eroded by developments in technology and international cooperation.”⁷⁸ He adds “if the modern ‘problem of identity’ is how to construct an identity and keep it solid and stable, the postmodern ‘problem of identity’ is primarily how to avoid fixation and keep the options open.”⁷⁹ He believes that individuals can take advantage of different sources for shaping their identities. Individuals are no

⁷⁵ Paula Moya “Introduction,” *Reclaiming Identity Realist Theory and the Predicament of Postmodernism*, eds. Paula Moya and Michael Hames-García (Berkeley: University of California Press, 2000), 1-26.

⁷⁶ Hongyu Wang, *The Call from the Stranger on a Journey Home* (New York: Peter Lang Publishing, Inc., 2004), 125.

⁷⁷ Zygmunt Bauman, *Liquid Modernity* (Malden, MA: Polity Press, 2012).

⁷⁸ Aune Valk et al., “Estonian Open Identity: Reality and Ideals,” *TRAMES* 15 (2011): 33.

⁷⁹ Zygmunt Bauman, “From Pilgrim to Tourist; or a Short History of Identity,” *Questions of Cultural Identity*, ed. S. Hall and P. Du Gay (London: Sage, 1996), 18.

longer forced to adopt their identity and culture through socialization.⁸⁰ The anti-essentialists views of culture remain distinctively positive. They do not, however, provide an explanation for how people form their identity and how they involve actively in shaping the culture they live in.

Anti-essentialist views reveal that we are living in a world filled with multiple identities to choose from, but this is not helpful in giving satisfactory reasons regarding changes of cultural behavior. The current literature on cultural studies presents two lines of inquiry.

On the one hand, there is an ongoing debate on whether ideas and ideologies shape the preferences and choices of individuals. Most studies conducted in psychology, sociology and anthropology follow this line of research. They try to find out the impact of culture and identities on behavior. Anthony Downs, for example, notes that “in reality, the social values classified by economists as ‘given’ preferences or tastes are extremely important variables in every society. Their nature and changes in them greatly affect economic and political behavior and institutions.”⁸¹ Down’s argument is supported by Robert Boyd and Peter J. Richerson. They want to find out what motivates people to behave cooperatively and they argue thus: “human behavior represents a compromise between generically inherited selfish impulses and more cooperative, culturally acquired values. Humans acquire attitudes, beliefs, and other kinds of information from others by social learning, and these items of cultural information affect individual behavior.”⁸² Thus, this line of research aims to generate some information about the neglected area of relations between given preferences and their affects. However, the aims and methods of

⁸⁰ Yasmeen Abu-Laban, “Humanizing the Oriental: Edward Said & Western Scholarly Discourse,” *Revising Culture, Reinventing Peace: The Influence of Edward W. Said*, ed. Naseer Hasan Aruri and Muhammad Shuraydi (New York: Olive Branch Press, 2001), 82.

⁸¹ Anthony Downs, “Social Values and Democracy,” *The Economic Approach to Politics*, ed. Kristen Renwick Monroe (New York: HarperCollins, 1991), 145.

⁸² Robert Boyd and Peter J. Richerson, “Culture and Cooperation,” *Beyond Self Interest*, ed. Jane J. Mansbridge (Chicago: University of Chicago Press, 1990), 114.

this line do not fit our purposes, since they cannot provide explanations for we are seeking.

On the other hand, the RCT focuses on explaining and predicting individual behavior giving priority to individual actors rather than to pre-existent groups. This approach makes three essential contributions to the domain of cultural studies: First, as rational consumers, individuals act in the area of culture by choosing and deciding. The dominant view that there is nothing rational about culture needs to be revised. While anti-essentialists ignore the real life complexities because they put so much emphasis on the given aspects of identity, the RCT can provide a more reliable explanation of the ongoing life by introducing identities as *chosen*, not given or constructed.⁸³ In other words, when the RCT assumes that the cultural identities are multiple and changing, individuals who act rationally on the basis of their beliefs and desires can actively participate in the formation of their own identities within a set of alternatives. For instance, many women can choose either to be a housewife or a business woman; choosing where to live can affect and change one's way of life; the immigrant status change more than once in a different country; people have a chance to adopt a new religion, join a new sect, or not to believe at all.⁸⁴ It would not be surprising, with the help of scientific and technological developments, to influence the genetic structure of the next generations, making slight but significant changes in their genes, gender, body size, IQ, or even all of its physiognomy which would have tremendous effect on their identities.⁸⁵ As these examples show that individuals increasingly face a

⁸³ Michael Hechter, "Rational Choice Theory and the Study of Race and Ethnic Relations" *Theories of Race and Ethnic Relations*, ed. John Rex and David Mason (Cambridge: Cambridge University Press, 1986), 269.

⁸⁴ George A. Akerlof and Rachel E. Kranton, "Economics and Identity," *The Quarterly Journal of Economics* 115 (2000): 726.

⁸⁵ Thomas C. Shelling, *Micromotives and Macrobehavior* (New York: W.W. Norton & Company, 1978), 203.

bigger and wider range of alternatives and they participate in the formation of their identities actively.⁸⁶

Second, the RCT holds that individuals are rational consumers and if what I have been arguing is right they have an identity “market” “to shop” from. The rational consumers make cost-benefit analysis to evaluate all the possible risks and gains that may be achieved when new components are acquired in their identity. Nevertheless, cost-benefit analysis does not necessarily mean that individuals pursue only material benefits, and “there are other types of rewards such as honor, prestige, authority, power, and position.”⁸⁷ For example, getting a university degree may be considered a turning point in one’s identity since it brings changes in new opportunities to pursue. Or, marrying a person from another culture brings a lot of changes in life-style, beliefs, values, etc. Of course, when individuals try to get maximum advantage, they interact with others. That is, the “market” also includes groups, communities, nations, namely, “sellers” who produce new and attractive identity “products” for rational individuals.⁸⁸ As Bauman claims, people with different backgrounds can produce new forms of expressions and cultural products instead of using the traditionally available ones in order to take the advantage of global opportunities in the world. An identity which is formed, formulated and gradually transformed according to the principles of free and rational exchange in the “identity market” can survive as long as there is demand and supply. So, especially, at the community and government level, identities are idealized through ensuring the continuation of individuals’ loyalty.

One of the strongest objections to the idea of identity change comes from Paul Stern who notes, for example, that “people resist changing their

⁸⁶ Barry Hindess, “Rationality and Modern Society,” *Sociological Theory* 9 (1991): 217.

⁸⁷ Rohit Barot, “Reflections on Michael Banton’s Contribution to Race and Ethnic Studies,” *Ethnic & Racial Studies* 29 (2006): 793.

⁸⁸ Laurence R. Iannaccone, “Extremism and the Economics of Religion,” *The Economic Record* 88 (2012): 110-115.

national identities, even when they can expect to benefit.”⁸⁹ To support his claim, he gives examples from the Soviet Union and Eastern Europe. He argues that “despite benefits made available to those who are identified with dominant national groups, people passed on their ancestral identities as Ruthenians, Ossetians, Azeris, and the like for generations with little hope of collective gain.”⁹⁰

While the RCT supposes that there is a possibility to change identities because of benefits, Stern opposes this idea by claiming that emotional attachment plays a bigger role than cost-benefit calculation. He claims that “such communities of hyphenated-Americans seem to be acting not for tangible benefit, but out of identification –as if their old national identities have intrinsic value.”⁹¹ I think Stern is right that emotions constitute a huge part of someone’s loyalty to his/her nationality, but it is only a part of the whole story and does not provide a full explanation for adoption of new or hyphenated identities. Furthermore, emotions are not so stable as to sustain these identities due to their constantly changing nature. Finally, utility maximization can be regarded as a highly relevant motivation for individuals to acquire hyphenated identities through social interactions with other cultures. Thus, rational individuals can compromise their cultures and identities if their expectations are greater than the costs.⁹² Since the exchange process between individuals, groups and governments will be examined in detail in the next chapter, here it will be sufficient to point out that this rational calculation enables individuals to make

⁸⁹ Paul C. Stern, “Why do People Sacrifice for their Nations?” *Perspectives on Nationalism and War*, ed. John Lionel Comaroff and Paul C. Stern (Malaysia: Gordon and Breach Science Publishers, 2000), 105.

⁹⁰ Ibid., 106.

⁹¹ Ibid., 106-107.

⁹² Ewa Ewa Ikpi, “Determinants of Social Interaction among Nigerians: A Rational Choice Perspective and Implications for Public Policy” (PhD diss., University of Chicago, 1988), 6.

distinct comparisons between different identity options.⁹³ I am not however arguing that all human behavior are rationally motivated and people behave to realize their interests accordingly in all circumstances. Instead, the RCT allow us to identify the structure of change and exchange at a background of motivations through rational evaluation to reach desired goals.⁹⁴

Third, to find out background motivations for cultural behavior is to determine preferences or to ask, “*Why* people want they want” rather than “*How* people try to get what they want.”⁹⁵ According to the RCT, “all human behavior can be viewed as involving participants who maximize their utility from a stable set of preferences.”⁹⁶ For example, deciding between tea or coffee for breakfast is an act of choosing and this represents a transformation of values into a decision. When different alternatives are available, an individual can weigh each preference in terms of cost-benefit calculations.⁹⁷

Nevertheless, there is a problem here: according to the RCT, preferences, which individuals need for the analysis of cost-benefit, do not alter from one person to another. If our preferences are stable and fixed, how can we explain cultural preferences are subject to change? According to Aaron Wildavsky, cultural preferences “emerge from social interaction in defending or opposing different ways of life... Their continuing reinforcement, modification, and rejection of existing power relationships teach them what to prefer.”⁹⁸

⁹³ Guy Hutton and Eva Rehfuess, “Guidelines for Conducting Cost–Benefit Analysis of Household Energy and Health Interventions,” WHO Library Cataloguing-in-Publication Data. www.who.int/indoorair/publications/guideline_household_energy_health_intervention.pdf

⁹⁴ Malesevic, “Rational Choice Theory,” 204.

⁹⁵ Aaron Wildavsky, “Choosing Preferences by Constructing Institutions: A Cultural Theory of Preference Formation,” *The American Political Science Review* 81 (1987):3.

⁹⁶ Gary S. Becker, *The Economic Approach to Human Behavior* (Chicago: The University of Chicago Press, 1976), 14.

⁹⁷ Ikpi, “Determinants of Social Interaction among Nigerians,” 36.

⁹⁸ Wildavsky, “Choosing Preferences by Constructing Institutions: A Cultural Theory of Preference Formation,” 5.

Hence, Wildavsky claims that rational individuals are able to make their identity decisions by sorting their preferences. However, this seems a clear-cut answer to the question. Despite this explanation it can be argued that people are driven by altruistic preferences which are context dependent, and so their preferences vary. The RCT considers this objection and “links preferences and beliefs to behavior without specifying the content of those preferences and beliefs.”⁹⁹ Indeed, it assumes that “preferences are exogenous to the model and endogenous to the individual.”¹⁰⁰ In other words, the RCT recognizes that individuals have preferences and are interested in their outcomes. That preferences can vary among individuals do not create a real problem for the RCT. If preferences have changeable characteristics, then from this perspective, it can be acknowledged that culture or identity “is not a fixed essence at all, lying unchanged outside history and culture. It is not some universal and transcendental spirit inside us on which history has made no fundamental mark. It is not once-and-for-all. It is not a fixed origin to which we can make some final and absolute Return.”¹⁰¹ If individuals think they will get beneficial consequences from choosing certain aspects of another culture or various components of a certain identity, then they will do so. If individuals suggest that there is an opportunity to get utility from cooperation, then they will do so even if it leads to changes in their identity and cultural affiliation and commitments.

In sum, when we look at cultural phenomena at the level of rational and individual, three perspectives emerge: the *given* [essentialism], the *constructed* [postmodernism-anti essentialism], and the *chosen* [the RCT]. Although the essentialism explains identity and culture through group or community

⁹⁹ Sun-Ki Chai, “Rational Choice and Culture: Clashing Perspectives or Complementary Modes of Analysis?” *Culture Matters: Essays in Honor of Aaron Wildavsky*, ed. Richard J. Ellis and Michael Thompson (Boulder, Colo.: Westview, 1997), 49.

¹⁰⁰ Keith M. Dowding, *Rational Choice and Political Power* (England: Edward Elgar Publishing Limited, 1991), 31.

¹⁰¹ Stuart Hall, “Cultural Identity and Diaspora,” *Identity and Difference*, ed. by Kathryn Woodward (London: Sage Publications, 2002), 53.

membership, RCT provides an explanation to the cultural phenomena taking individuals' capacity of choosing and rationality as the foundation of analysis and also considering identity preferences as the most important decision people make.¹⁰²

Emphasizing the sense of belonging concerning culture and cultural identity, the essentialist views put uniformity and invariance against diversity and change, and this eventually leads to discrimination. Human beings have a long history of discrimination based on the distinctive features of gender, faith and ethnic distinctions. The idea of fixed essence of every social group leads to see everyone in the group as “we,” whereas people who are outside of the group as “other.”¹⁰³ The RCT's application allows us to see cultural identity not as a reflection of a fixed, natural state of being but as a process of rationalization of individuals. There is no essence in culture and identity to be discovered; rather, individuals, communities, and nations are continually producing cultural identity.¹⁰⁴ However, this idea seems to undermine the traditional importance of notions such as race and ethnicity, and instead, proposes competition, choosing and changing as the basis of analysis. The RCT has a different approach than the rival theories in explaining cultural behavior particularly in seeing cultural phenomena as subject to rational choice. I will deal the shortcomings of this approach under the title 2.4.

2.3.2. Cost-Benefit Calculations for Culture and Identity

Why does a member of a group claim more than one identity? Why does any group member affiliate with another group identity while also recognizing their current national, ethnic and religious identities? Why do individuals comply with other's rules? Rational choice theories can provide answers to the above

¹⁰² Akerlof and Kranton, “Economics and Identity,” 717.

¹⁰³ Simon Clarke, “Culture and Identity,” *The Sage Handbook of Cultural Analysis*, 2008. www.sage-ereference.com/view/hdbk_culturalanalysis/n24.xml

¹⁰⁴ Chris Barker, *Cultural Studies: Theory and Practice* (London: Sage Publications, 2012), 233.

questions, even if they face certain challenges such as the claim that cultural behavior cannot thoroughly be reduced to economic rationality or that those identities which are based on robust beliefs tend to be stable and are not subject to sudden changes.¹⁰⁵

As it has been seen in the above section, seeking explanations for changes from the essentialist point of view does not produce a cogent theory of change in society, attitudes and behavior. As Russell Hardin notes, the issues like nationalism, ethnic loyalty or identity are commonly viewed “as irrational or extra-rational.”¹⁰⁶ Despite this view, however, he also claims that “individual identification with such groups is not primordial or extra-rational but is interest based and rational. Individuals identify with such groups because it is in their interest to do so.”¹⁰⁷ Following Hardin, I suggest that although the RCT does not present a broad explanation for all cultural behavior because of its self-restriction on matters of content, still it can provide a framework to explain cultural issues such as hyphenated identities, social and culture change through means of interaction, media, immigration, mobilization, etc. Besides, the RCT can also be applied to irrational or habitual behavior by subjecting them to the certain rationality criteria.¹⁰⁸ In other words, cultural behavior can be analyzed in terms of cost-benefit calculations, rational or irrational decisions of individuals. We should not, however, think that the RCT is not primarily interested in changes, since “the theory of rational action of purposive action is a theory of instrumental rationality, *given* a set of goals or ends or utilities.”¹⁰⁹

¹⁰⁵ Geoffrey Sayre-McCord and Michael Smith, “Desires...and Beliefs...of One’s Own,” (June 2015), <https://philosophy.unc.edu/files/2013/10/Desires----and-Beliefs----Of-One---s-Own.pdf>

¹⁰⁶ Russell Hardin, “Self-Interest, Group Identity,” *Nationalism and Rationality*, ed. Alber Breton, et al. (Cambridge: Cambridge University Press, 1995), 14.

¹⁰⁷ Ibid., 41.

¹⁰⁸ Michael Banton, *Racial and Ethnic Competition* (Cambridge: Cambridge University Press, 1983), 108.

¹⁰⁹ James S. Coleman, *Foundations of Social Theory* (Massachusetts: Harvard University Press, 1990), 516.

Its first and foremost priority is in decisions. Change is a consequence of decisions and actions and the RCT explains and predicts change through them. In addition, as James S. Coleman indicates, the requirements for explaining changes are not easily met.¹¹⁰ What is needed, then, is to introduce a process of calculating benefits in order to explain the strategies, motivations and behavior of the individual actors in relations to the changes that occur in their culture and identity.

One of the problems in the process of calculating benefits is related to the interpretation of the utility. What exactly do maximizing individuals get? In fact, the concept of utility, in the context of RCT, has been understood differently from Bentham to Buchanan. The RCT supporters prefer to use *utility* in the sense of *wants* and *preferences* rather than understanding it in the hedonistic terms such as pleasure.¹¹¹ One source of utility originates from the basic needs of human beings such as food, personal wealth, economic development; and another source comes from society such as ability to remain in power, controlling the relations at home or in job, and maximizing self-esteem etc. People, who pursue these utilities and benefits, take into account the time, energy, money costs, when they acquire information to make rational decisions.¹¹² This cost benefit calculation holds for identity and culture as well. Michael Hechter gives an example that I cite here with little variation: Consider two regions, 1 and 2 with two different religious communities: X and Y. While in region 1, both religious communities, X and Y, have similar chance to be manager or worker; in region 2, any given manager has a .95 probability of being X, and any given worker has a .95 probability of being Y. If people want to be managers rather than workers, then the number of those who belong to X

¹¹⁰ Ibid.

¹¹¹ Daniel Kahneman, "New Challenges to the Rationality Assumption," *Choices, Values and Frames*, ed. Daniel Kahneman and Amos Tversky (New York: Cambridge University Press, 2002), 760.

¹¹² Raymond S. Nickerson, *Aspects of Rationality: Reflections on What It Means to Be Rational and Whether We Are* (New York: Taylor & Francis Group LLC, 2008), 359.

will increase in the region 2.¹¹³ This shows that in certain circumstances, the appearance of an identity -religious or cultural- cannot be totally separated from the costs and benefits that it brings to its holders.

Needless to say, it is assumed that there is a connection and interaction between different people who can exchange different identities to compete with. In other words, “individuals will identify with high-status groups because this identification contributes to their self-esteem. Likewise, individuals will avoid identifying with low-status groups unless there are objective or psychic barriers to so doing.”¹¹⁴ When we apply the assumption of cost-benefit calculation to the area of culture, we realize that individuals tend to use different aspects of their identities in order to achieve utility maximization.

Another strategy is to see culture or national identity as an option. In other words, cultural or social relations can be considered as the allocation of scarce sources: individuals act to obtain maximum utility by competing with each other.¹¹⁵ But, this does not mean that pursuing utility maximization necessarily leads to “zero-sum games in which the gains of some rest on the losses of others. Quite the contrary, individuals associate with one another because they all profit from their association. But they do not necessarily profit equally, neither do they share the cost of providing the benefits equally. Even when there are no direct costs to participants, there will still be indirect costs borne by those who are excluded from the association.”¹¹⁶ This view, mentioned by the sociologist Peter Blau, famous as founder of social exchange theory, is an application of the RCT to sociology. This theory assumes that “men live in a world of scarcity and therefore must select between alternative courses of

¹¹³ Michael Hechter, *Containing Nationalism* (New York: Oxford University Press, 2000), 98.

¹¹⁴ *Ibid.*, 99.

¹¹⁵ Peter Figueroa, *Education and the Social Construction of 'Race'* (London: Routledge, 2012), 10.

¹¹⁶ Peter M. Blau, *Exchange & Power in Social Life* (New Jersey: Transaction Publishers, 2006), 15.

action.”¹¹⁷ The economical assumption seems applicable to culture and identity, since individuals face by a scarcity of advantages in terms of their capabilities and identities. The competition on the “market” forces individuals to change and make choices regarding opportunities. Whoever has distinctive qualifications such as multiple languages, skills, expertise and experience, she will raise the cultural capital that facilitates adjustment to different identities and cultures. That is, individuals prefer one identity over another or hide their identities because of the benefits or disadvantages they bring.¹¹⁸

Individuals can act together by means of cooperation to achieve their ends and this collective action causes new social and cultural groups. Individuals remain as members of these groups as long as their utilities are maximized or at least are unharmed. If not, an individual, given the opportunity, can leave his or her group where his or her activities are not approved in previous environment. This strategy is motivated by the expected utility which appears as a maximum reward in individuals’ relations. For example, if two individuals produce their maximum rewards for both sides at a minimum cost, their relationship will produce maximum utility not only for each, but also for the cooperation since they may have extra advantages when they keep company.¹¹⁹ Some people mark, cut or tattoo their body to show their commitment to a certain group. In terms of utility, these kinds of actions provide rewards or sympathy from those who have similar marks.¹²⁰ Avoiding conflict and losses in utility would be a strong motivation for “people may want

¹¹⁷ Anthony Heath, *Rational Choice & Social Exchange* (Cambridge: Cambridge University Press, 1976), 3.

¹¹⁸ Philip Q. Yang, *Ethnic Studies: Issues and Approaches* (New York: State University of New York Press, 2000), 47.

¹¹⁹ John W. Thibaut & Harold H. Kelley, *The Social Psychology of Groups* (New York: John Wiley & Sons, INC, 1959), 31.

¹²⁰ Akerlof and Kranton, “Economics and Identity,” 725.

to match with those who share the same identity or for whom actions have the same meaning.”¹²¹

Religious affiliation and behavior have similar characteristics with other social behavior in terms of utility maximization. Carmel Chiswick, whose work remains a rarity on religious affiliation and behavior evaluated from the RCT perspective, gives us some insights as to the choices that people make but are not always consistent with their beliefs and values:

Our expectation (hypothesis) would be that expensive rules would be obeyed only if the benefits were seen to be large, while low-benefit rules might be obeyed only if their cost is low. Much of what follows in this book will be directed at better understanding how the full cost of Jewish observance affects the religious behavior of American Jews.¹²²

This view considers that people are rational “consumers” of religion. They can choose to believe or not to believe through cost-benefit calculation. They can modify their religious commitments by reducing or increasing their participation to the ceremonies. They can choose to intermarry and try to adopt the religion of their spouse to get a higher status, social acceptance, privileges, etc., since “the efficiency gains from such marital realignments will tend to be greater when the less religious spouse does the converting.”¹²³ Elster exemplifies such behavior from French history:

Those who profess religious motives are often accused using them as a disguise for their real motives, be they political or pecuniary. During the French wars of religion (1562-98), the warring parties constantly accused each other of using religion as a pretext for their political or even pecuniary aims. There were some bases for these charges. Henri de Navarre (later Henri IV)

¹²¹ Ibid, 732.

¹²² Carmel Chiswick, *Judaism in Transition: How Economic Choices Shape Religious Tradition* (California: Stanford University Press, 2014).

¹²³ Laurence R. Iannaccone, “Introduction to the Economics of Religion,” *Journal of Economic Literature* 36 (1998): 1482.

converted six times in his life, and the last conversion, in 1593, was widely suspected of opportunism. His father, Antoine de Bourbon, had already made it clear that his faith was for sale to the highest bidder. He accompanied the queen to mass, and his Protestant wife to communion. On his deathbed, he sought consolation from both religions. A leading reformer, Cardinal de Chatillon, married after his conversion but retained both his title as cardinal and the revenue from his bishopric.¹²⁴

All of these examples from religious behavior can be explained by the RCT as “optimal responses to varying circumstances.”¹²⁵ Similarly, migrants try purposely to fit into a new society. The application of the RCT model implies that the individuals search for a suitable alternative for reducing costs and increasing utility in their new environment. As long as they get what they expect, their identification and willingness to participate, and to adapt to a new culture will increase. This also explains the increase in mobilization in our times, since when the opportunity decreases or a life-threatening situation exists, the RCT predicts that immigration to another culture will be increased. Therefore, this will allow us to see that cultural behavior is not fully norm-oriented; it is also possible to see it as utility oriented.¹²⁶

2.4. Criticisms of the Application

I am not the first to explore the characteristics of the RCT and to scrutinize its applications to certain aspects of cultural theories and ethnicities. There is a huge and prolific literature growing around the RCT which addresses several questions asked in this chapter; however, not these following questions: Can we explain relations or emotions which constitute an essential part of identity and culture from the RCT’s perspective? Can we evaluate unalterable identities in a

¹²⁴ Jon Elster, *Explaining Social Behavior: More Nuts and Bolts for the Social Sciences* (Cambridge: Cambridge University Press, 2007), 60.

¹²⁵ Laurence R. Iannaccone, “Voodoo Economics? Reviewing the Rational Choice Approach to Religion,” *Journal for the Scientific Study of Religion* 34 (1995): 77.

¹²⁶ Malesevic, “Rational Choice Theory,” 194.

manner consistent with the RCT? Are choices of identity and culture unlimited? If so, can we calculate unlimited alternatives in a restricted framework?

When we look at the above questions I have to admit that it is not an easy task to fit culture and identity in a RCT model. It is not easy because the RCT models are not primarily originated from the issues of identity and culture which cannot be calculated easily through rational lenses. The economists who affirm “a stich figure of a rationally optimizing human with only economic motivations” develop the RCT models.¹²⁷

Therefore the application of the RCT to the cultural phenomena may seem at first sight very controversial, but as we have seen, a close analysis shows deeper affinities than surface level similarities. So far, the studies in this area, especially from the perspective of anthropology, have been busy with describing and reporting the connection between thinking and acting according to social norms.¹²⁸ But the application of the RCT provides us with the opportunity to predict as well as to explain the reasons for human action even if individuals come from different social and cultural backgrounds.¹²⁹

The application of the model to cultural behavior, however, has its limits. It would certainly be too ambitious to claim that the RTC covers all kinds of cultural behavior. Not all decisions and acts can come under the rubric of rationality. Human beings act now and then out of sheer desires, they follow others blindly, and they behave against their better judgment and so on. In addition to these failures of rationality which limits the universal application of the RTC over all human behavior including the cultural ones, there is also a more radical challenge concerning whether the instrumental rationality is strong enough to reach a clearer understanding of cultural behavior.

¹²⁷ George A. Akerlof and Rachel E. Kranton, *Identity Economics: How Our Identities Shape Our Work, Wages, and Well-Being* (Princeton: Princeton University Press, 2010), 7.

¹²⁸ Ibid., 6.

¹²⁹ Sun-Ki Chai, *Choosing an Identity* (Michigan: University of Michigan, 1999), 176.

However, by providing a criticism for the RCT, I do not attempt to question its significance and value for some cultural behavior; I only aim to point out the complexity of the questions relating culture and identity and the need a multi-level approach for a better understanding and explanation. Furthermore, I believe that the concept of instrumental rationality which lies at the background of the RCT cannot explain satisfactorily all human behavior therefore is in need of criticism. Many contemporary authors have already pointed out the shortcoming of economic approach to human behavior.¹³⁰ I agree with them to some extent and I will extend their criticism to the application of the RCT to the cultural phenomena. The criticism that I will provide in this chapter relates to the following four propositions:

- [i] Relations among individuals enhance rationality.
- [ii] Individuals are not perfectly rational.
- [iii] Instrumental rationality cannot explain fully human behavior.
- [iv] Institutions and structures cannot be reduced to individual choices.

2.4.1. Relations among Individuals Enhance Rationality

We have seen that real life situations require more than thin rationality. One of the problems of the application of the RCT to culture and identity is to ignore the complicated interactions that take place inside the society. The RCT considers individuals as atomic and unconnected entities. They are assumed to take into account all relevant information and weigh all evidence in making decisions.¹³¹ David Gauthier calls this “parametric choice ...in which the actor takes his behavior to be the sole variable in a fixed environment.”¹³² For example, pursuing justice is explained as motivated only by utility maximization. However, when the other aspects of interaction are included, this

¹³⁰ Bozo Stojanovic, “Economics of Identity,” *Panoeconomicus* 2 (2014): 253.

¹³¹ Nickerson, *Aspects of Rationality*, 357.

¹³² David Gauthier, *Morals by Agreement* (Oxford: Clarendon Press, 1988), 21.

explanation turns into the following explanation: individuals may choose to be just because they believe that it is right thing to do so. Similarly, since social associations are rewarding, individuals can enjoy in associating with each other and doing same things together.¹³³

It is not enough to suppose that individuals are always rational in their choices and decisions. The relations among many competing individuals can lead to the idea that individuals try to choose the best outcome in spite of limited resources.¹³⁴ This fact forces individuals to make rational decisions to get more. So, the utility principle can be extended to cover all relations beyond the atomic behavior of individuals.¹³⁵

According to the RCT, the relation of individuals with their social groups seems to be secondary and reducible to individual actions. But is the society just a sum of the individuals? Individuals choose living together and interacting with each other to fulfill their desires and goals. Even the basic needs are inevitably cultural such as foods, beliefs, daily practices etc.¹³⁶ So, a theory of culture takes into account “relations” in the sense that individuals are more than atomic entities and they have resources that cannot be explained through thin rationality. They live in a social environment which forces them to be rational in a web of relations to improve their welfare.

With these considerations in mind, I suppose that there is a kind of interactive exchange among the individuals in a social environment which define their relations in a way that make their goal-oriented behavior mutually advantageous.¹³⁷ This does not mean that all actions are conducted with the aim

¹³³ Blau, *Exchange & Power in Social Life*, 15.

¹³⁴ Ernest Gellner, *Reason and Culture: New Perspectives on the Past* (Cambridge, MA: Blackwell Publishers, 1992), 140.

¹³⁵ Milan Zafirovski, “Social Exchange Theory under Scrutiny: A Positive Critique of its Economic-Behaviorist Formulations,” *Electronic Journal of Sociology* (2005): 4.

¹³⁶ Figueroa, *Education and the Social Construction of ‘Race,’* 15-16.

¹³⁷ Zafirovski, “Social Exchange Theory under Scrutiny,” 3.

of exchange. As Peter M. Blau claims, “two conditions must be met for behavior to lead to social exchange. It must be oriented toward ends that can only be achieved through interaction with other persons, and it must seek to adapt means to further the achievement of these ends.”¹³⁸ This brings us to the second criticism.

2.4.2. Individuals are not Perfectly Rational

Another assumption of the RCT is the universal and standardized criteria for rationality that is ascribable to all human beings regardless of their environment, history and culture. In fact, recent studies admit that environmental differences affect choices even if just a bit. However, rational choice theorists tend to assume that not only people are rational but also they are *perfectly* rational. If they follow the rules of rationality, as they should, they can make flawless calculations about the best means to achieve their specific ends.¹³⁹ Furthermore, they assume that that people have perfect knowledge of all alternatives as well as their consequences. So, individuals are believed to have a high level of knowledge and computational ability to make comparison among alternatives and to make the right choices.¹⁴⁰

Ernest Gellner supports this idea by claiming that a rational individual “treats like cases alike, subjecting them impartial and stable criteria, and an absence of caprice and arbitrariness pervades his thought and conduct. He methodically augments his capital, cognitive as well as financial. His life is a progression of achievement, rather than the static occupancy, enjoyment, and fulfillment of an ascribed status.”¹⁴¹ However, it is obvious that regarding

¹³⁸ Peter M. Blau, *Exchange & Power in Social Life* (New Jersey: Transaction Publishers, 2006), 5.

¹³⁹ Richard Reiner, “Arguments against the Possibility of Perfect Rationality,” *Minds and Machines* 5 (1995): 373-389.

¹⁴⁰ Margaret Mooney Marini, “The Role of Models of Purposive Action in Sociology,” *Rational Choice Theory Advocacy and Critique*, ed. James S. Coleman and Thomas J. Fararo (Thousand Oaks: Sage Publications, 1992), 24.

¹⁴¹ Gellner, *Reason and Culture: New Perspectives on the Past*, 137.

cultural phenomena, rationality of individuals is bounded since information is not equally distributed among the individuals in a given society and access to information varies drastically from culture to culture. Even if the information is available, individuals cannot compare all alternatives to maximize their utility; rather, due to their limited deliberating capacities, they prefer “satisficing” as an alternative¹⁴² As Herbert Simon argues that people are “boundedly rational agents [who] experience limits in formulating and solving complex problems and in processing.”¹⁴³

Prisoner’s dilemma sheds lights on certain aspects of human decision making as argued by many RCT theorists including Simon. Imagine a situation in which two suspects are caught for committing a crime. They are held in separate cells so that they cannot talk to each other. The prosecutor makes an offer to each prisoner to inform against the other with the condition of a lowered sentence. The strategies in the game are: cooperate or defect. Here is the payoff table for the prisoners’ dilemma game:

Players : Player 1 and Player 2
Strategy 1: Cooperate
Strategy 2: Defect

Table 2: Prisoner’s Dilemma¹⁴⁴

	Player 1		
		Cooperate	Defect
	Player 2		
	Cooperate	2,2	4,1
	Defect	1,4	3,3

¹⁴² Herbert A. Simon, “A Behavioral Model of Rational Choice,” *The Quarterly Journal of Economics* 69 (1955): 99-118.

¹⁴³ Ibid.

¹⁴⁴ The table adapted from Don Ross, “Game Theory,” *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, <http://plato.stanford.edu/archives/spr2016/entries/game-theory>

According to above matrix two players must decide whether to “cooperate” or to “defect.” Each prisoner chooses one of the two strategies. Player 1 chooses a column and Player 2 chooses a row. The two numbers in each cell tell the outcomes for the two prisoners when the corresponding pair of strategies is chosen. The number to the left of the comma says the payoff to the person who chooses the rows (Player 2). The number to the right of the comma says the payoff to the person who chooses the columns (Player 1). Thus, reading down the first column if they both cooperate, each gets two year sentence, but if Player 1 cooperates and Player 2 defects, then Player 2 gets one year and Player 1 gets four years.¹⁴⁵

In the prisoner’s dilemma, each individual is expected to behave according to the principles of the RCT. Thus each is trying to do the best for themselves. Since the game involves an interaction between two rational individuals, it is assumed that each player is rational, each player knows all other players are rational, and finally each player knows all other players know all players are rational. Thus, each individual in the prisoners’ dilemma not only knows that defection is the rational choice for himself, he also knows that it too is the rational choice for the other prisoner.¹⁴⁶ If one player defects while the other cooperates, he will get one year in the prison. Defection is the dominant strategy when the other prisoner cooperates. However, if they both follow the dominant strategy, that is, if they both defect, both will get three years in the prison. It is obvious in the matrix that they will be better off if they both cooperate with each other: two years in the prison. So, the game poses a dilemma: what is the utility maximization?

As I have already mentioned, the RCT does not specify the content of the utility.¹⁴⁷ For some writers, the cases like the prisoner’s dilemma pose a

¹⁴⁵ Russell Hardin, “Rational Choice Theory,” *Routledge Encyclopedia of Philosophy*, ed. Edward Craig (New York: Routledge, 1998), 64-75.

¹⁴⁶ Parsons, *Rational Choice and Politics: A Critical Introduction*, 20.

¹⁴⁷ Herbert A. Simon, “Rationality in Society” *International Encyclopedia of the Social & Behavioral Sciences*, ed. Neil J. Smelser and Paul B. Baltes (New York: Elsevier, 2001), 12783.

major challenge for the RCT.¹⁴⁸ But, for others like Binmore, the cooperation is not the best possible choice in the prisoner's dilemma. This should not be taken as an insolvable paradox for rationality. He says:

If the great game of life played by the human species were adequately modeled by the Prisoner's Dilemma, we would not have evolved as social animals! We therefore see no more need to solve an invented paradox of rationality than to explain why people drown when thrown into Lake Michigan with their feet encased in concrete. No paradox of rationality exists. Rational players do not cooperate in the Prisoner's Dilemma because the conditions necessary for rational cooperation are absent. Fortunately, the paradox of rationality phase in the history of game theory is just about over. Insofar as they remembered, the many fallacies that were invented in hopeless attempts to show that it is rational to cooperate in the Prisoner's Dilemma are now mostly quoted as entertaining examples of what psychologists call magical reasoning, in which logic is twisted to secure some desired outcome.¹⁴⁹

Binmore's strategy is to forego cooperation to save rationality: It is not always rational to cooperate. Even if the prisoner's dilemma does not threaten the basic principles of rationality, Binmore acknowledges that the dilemma still demands reconsideration in the axiom of utility maximization. Indeed, in the prisoner's dilemma, people are assumed as utility maximizers. When they have no information about the other, however, they end up with poor outcomes. They are worse off if they follow the precepts of the RCT. The research on the prisoner's dilemma made a deep impact on studies about the questions of individual and collective rationality, self-interest and altruism. For example, Simon claims that "the approach taken in the theory of games and in statistical decision theory to the problem of rational choice is fundamentally wrongheaded [...] It is wrong [...] in seeking to erect a theory of human choice on the unrealistic assumptions of virtual omniscience and unlimited computational

¹⁴⁸ Sugden, "Rational Choice," 133.

¹⁴⁹ Ken Binmore, *Game Theory A Very Short Introduction* (Oxford: Oxford University Press, 2007), 19.

power.”¹⁵⁰ Furthermore, he claims that “the key to the simplification of the choice process in both cases is the replacement of the goal of maximizing with the goal of satisficing, of finding a course of action that is ‘good enough.’”¹⁵¹ Satisficing refers to the idea that individuals do not seek the very best outcome, but rather they should stop when they find an outcome which is “good enough” for them. The concept of satisficing originated from the realization that most maximizing problems are extremely complex.¹⁵² Satisficing, however, has its own problems; it introduces a new variable, namely a limit for satisficing that seems difficult to determine. How do we know which outcome is “good enough” for us? Criticisms that stem from the prisoner’s dilemma poses a challenge against the possibility of perfect rationality. This brings us to the discussion of a new model of rationality, namely bounded rationality.

In his work *Reason in Human Affairs*, Simon argued that the “substantive” models of rationality ignore the “procedural” limitations and certain constraints on actual decision making. These are the procedural limitations on knowledge and the cognitive constraints in processing information. Simon defined bounded rationality as “rational choice that takes into account the cognitive limitations of the decision maker –limitations of both knowledge and computational capacity.”¹⁵³ Bounded rationality refers to choice that is imperfect in the sense that the output is often not the “correct” one but is sensible in that it can be understood as an attempt by the agent to do reasonably well.¹⁵⁴ Moreover, he showed that, in some circumstances, the attempt to be

¹⁵⁰ Herbert A. Simon, “A Behavioral Model of Rational Choice” *Models of Man, Social and Rational: Mathematical Essays on Rational Human Behavior in a Social Setting* (New York: Wiley, 1957), 217.

¹⁵¹ *Ibid.*, 204-205.

¹⁵² Tyler Cowen, “How Do Economists Think about Rationality?” *Satisficing and Maximizing: Moral Theorists on Practical Reason*, ed. Michael Bryon (Cambridge: Cambridge University Press, 2004), 230.

¹⁵³ Simon, *Models of Bounded Rationality: Empirically Grounded Economic Reason*, 291.

¹⁵⁴ Barton L. Lipman, “Information Processing and Bounded Rationality: A Survey,” *The Canadian Journal of Economics* 28 (1995): 42.

perfectly rational leads to an infinite regress: making the best possible choice requires first deciding how to make the best choice, but that requires first deciding how to make the best decision to decide the best choice, and so on.¹⁵⁵

However, if we accept preferences as given and if we assume that the individuals have unlimited powers to calculate their utility, then, according to Herbert Simon, two important consequences follow. First, we do not need to distinguish between the real world and the decision maker's perception of it; we do not have to question whether he or she perceives the world as it really is. Second, we can predict the choices that will be made by a rational decision maker entirely from our knowledge of the world and without knowledge of the decision maker's perceptions or modes of calculation.¹⁵⁶

Furthermore, if that is the case, then it may be impossible to distinguish rationality from irrationality. Elster's example shows this problem clearly: "If an agent has a compulsive desire to kill another person, and believes that the best way of killing that person is to stick a pin through a doll representing him then he acts rationally if he sticks a pin through the doll."¹⁵⁷ Thus, it seems counter-intuitive that all behavior is rational from the perspective of thin or instrumental rationality.¹⁵⁸

This does not mean that decisions and behavior of cultural phenomena are totally irrational. Some interpret the idea of "satisficing" as that "people do not seek the best possible solutions to decision problems, but only acceptable ones... the solutions and choices are unlikely to be optimal with respect to be any global perspective, but they suffice to satisfy the individual's immediate

¹⁵⁵ Richard Reiner, "A Framework for Theories of Bounded Rationality" (PhD diss., North York, Ontario, 1993), 5.

¹⁵⁶ Herbert A. Simon, "Rationality in Psychology and Economics," *The Journal of Business*, 59 (1986): 210.

¹⁵⁷ Elster, *Sour Grapes: Studies in the Subversion of Rationality*, 3.

¹⁵⁸ Jon Elster, "Rational Choice Theory: Cultural Concerns," *International Encyclopedia of the Social & Behavioral Sciences*, ed. Neil J. Smelser and Paul B. Baltes (Amsterdam, New York: Elsevier, 2001), 12764.

needs for safety, shelter, food, pleasure and other basics.”¹⁵⁹ I think, however, this interpretation may be misunderstood as that individuals do not analyze present options or stick to their identity and cultures even if it is not rational to do so.

Contrary to this misunderstanding, I suggest, there is no valid reason to argue that bounded rationality precludes analyzing choices at the expense of viewing culture and identity as irrational. To provide an explanation for certain behavior at least we need to simplify decision situations. After all, buyers who choose goods in the market and individuals who have options to change their identities or some of its aspects are the same people. Otherwise, how can we claim that individuals act rationally in certain areas such as logic and mathematics, while they act irrationally in others such as culture and identity? Indeed this approach, if true, would have led us to a divided mind, a schizophrenic personality and culture.

However, even if individuals are boundedly rational in their cultural preferences and behavior, provided that they allocate enough attention and thought, they can have a relatively good assessment of these preferences and can make reasonably good choices. This would ensure us that we stick to predictability feature of the RCT and not view cultural area as irrational. Otherwise, we will be trapped in a kind of null rationality that “a person’s believing a proposition at a particular time consists of the believed proposition occurring with a ‘feeling of assent’ to the proposition in the person’s psychological history at the time.”¹⁶⁰ Therefore, a rational decision would be based on possible consequences of the choice to predict behavior and determine motivations.

Nonetheless, we need to be aware that people can act according to certain norms that are not always consistent with thin rationality.¹⁶¹ It is obvious

¹⁵⁹ Nickerson, *Aspects of Rationality*, 358.

¹⁶⁰ Christopher Cherniak, “Minimal Rationality,” *Mind* 90 (1981): 163.

¹⁶¹ Stojanovic, “Economics of Identity,” 255.

that getting the best outcome and maximize utility are strong credits for the RCT but these credits cannot satisfy the individuals who embrace their identities in which they are born but at the same time want to make changes in them. As shown by Tversky and Kahneman, “people rely on a limited number of heuristic principles which reduce the complex tasks of assessing probabilities and predicting values to simpler judgmental operations.”¹⁶² In other words, the need for adequate explanation requires more than thin rationality which does not take into account certain issues such as the content of desires and beliefs.

2.4.3. Instrumental Rationality Cannot Explain Fully Human Behavior

The RCT leaves certain number of questions unanswered which are significant from philosophical point of view. In other words, it does not provide a complete picture of the human behavior with all its relevant components, perception, belief, intention, will, decision, action, etc. It never concerns itself with the content of the beliefs, desires, intentions, decisions, and accepts them as given. It merely aims at a formal analysis of the alternatives and their relative merits in a decision-making scenario, and tries to determine how to make the best possible choice among these alternatives. The question, for the RCT, is not what is rational or reasonable in itself but how the individuals make their choice and what principles they follow or apply in making them. The formal analysis is an attempt to remove the emphasis that the substantive rationality puts on the content of the choices or the ends. While the substantive rationality is concerned with the content of the beliefs and intentions that the individuals should have, the rational choice theories give priority to the act of making choices and exercising the capacity and freedom of choosing. Here, it is important to note the influence that Weber on theories of rationality. Max Weber who studied theory of rationality as processes is a forerunner among those who emphasized the difference between the content (substantive)

¹⁶² Amos Tversky and Daniel Kahneman, “Judgment under Uncertainty: Heuristics and Biases,” *Judgment under Uncertainty: Heuristics and Biases*, ed. Daniel Kahneman et al. (Cambridge: Cambridge University Press, 1982), 4.

rationality and the formal (procedural) rationality.¹⁶³ The RCT accepts the theory of rationality as a process but disregards its second type, i.e., substantive rationality. Weberian separation of the two types of rationality, perhaps unintentionally, contributed to the progress of one to the detriment of the other: instrumental rationality as reaching to one's end in the best and quickest possible way has become the dominant theory in social sciences and particularly in economics and politics. What makes a choice rational for the adherents of the RCT is not its relation to an external reality beyond and above the individual but his or her capability to make that very choice.¹⁶⁴ No doubt this is only a part of the story and a partial representation of the human decisions and actions. Full theory of rationality cannot be achieved unless the content of the beliefs, intentions, and ends are also taken into account and scrutinized.

Some argued, however, that instrumental rationality is one of the components of rational choice and by itself is not enough to explain actions since there are other factors that are operative in making decisions. Jon Elster is one of these critiques and he thinks that a social action arises ultimately from the intentional states of actors, such as desires, intentions and beliefs.¹⁶⁵ He argues that the RCT does not take beliefs, intentions and desires into full account as relevant components in reaching an aimed goal. In his book, *Sour Grapes*, he assumes two different kinds of rationality: thin and thick (narrow or and broad rationality.) Roughly speaking, the thin type is the economist's theory of rationality, namely RCT, whereas the thick type is a theory of the true

¹⁶³ Max Weber, *The Theory of Social and Economic Organization* (New York: The Free Press, 1947), 184.

¹⁶⁴ Stephen Kalberg, "Max Weber's Types of Rationality: Cornerstones for the Analysis of Rationalization Processes in History," *The American Journal of Sociology* 85 (1980): 1145-1179.

¹⁶⁵ For Elster, explanations can be divided into three basic modes: intentional, functional, and causal. The second mode explains a social phenomenon teleologically by referring to the purpose or function it serves. The third mode explains a social phenomenon by referring to an antecedent event or state of affairs that is sufficient to bring it about deterministically. Jon Elster, "Introduction," *Rational Choice* (New York: New York University Press, 1986), 12.

and the right. Thin rationality predicts that individuals, with full and complete information about the alternatives, can make a rational choice among these alternatives. Russell Hardin notes that the most basic element of thin rationality is “the strong assumption that individual actions are motivated by self-interest.”¹⁶⁶ So, the basic principle is that individuals can make their preferences without including other components that are necessary to explain action. Although thin rationality is widely attractive due to its simplicity to provide a solid explanation and reliable prediction for human behavior, it is considered problematic by Donald P. Green and Ian Shapiro:

Even if nothing is specified about the content of preferences, the researcher may make certain assumptions about stability of preference orderings that are more robust than what mere thin rationality requires. In principle, theories range from thick to thin, but empirical applications seldom approximate the latter ideal type.¹⁶⁷

Therefore, they claim that instrumental rationality cannot provide a full explanation for rational actions. The main criticism that is directed to this kind of rationality is its dismissal of individual intentions. It seems that the theory is postulating “a purpose without a purposive actor.”¹⁶⁸ Furthermore, it ignores the actual incentives of the individuals in social interactions. However, Jon Elster thinks that intentional action cannot be dismissed in social explanations. He believes that “[to] explain social institutions and social change is to show how they arise as the result of the actions and interactions of the individuals.”¹⁶⁹ Therefore, if a rational being makes a choice on the basis of practical reasoning about what to do, then her choice involves intentions. The activity of choice as

¹⁶⁶ Russell Hardin, *Collective Action* (Baltimore: Johns Hopkins University Press, 1982), 9.

¹⁶⁷ Green and Shapiro, *Pathologies of Rational Choice*, 18.

¹⁶⁸ Jon Elster, “The Case for Methodological Individualism,” *Theory and Society* 11 (1982): 452.

¹⁶⁹ Cited by Joseph Heath, “Methodological Individualism”; Elster, *Nuts and Bolts for the Social Sciences*, 13.

rational is an activity which involves intentions. Therefore explanations about actions must target the beliefs, desires and intentions of the individuals and these actions can be explained through their intentions to rationally maximize their benefits. Nevertheless, there are four possible problems that we need to deal with.

First, since rationality is not just a matter of thought, but of action as well, we can characterize many different things as rational such as preferences, beliefs, actions, evaluations, plans, procedures, arrangements and so on. Rational people are those whose beliefs, evaluations, and actions are rational on the whole.¹⁷⁰ However, the intentions a rational individual has in the process of making a decision need to be examined in each case. We cannot really say that until now these are specified, but they are just assumed.¹⁷¹

Second, another problem arises about the content and definition of intentions. Alexander Rosenberg gives a formula for the intentions as follows: “If any agent, x , wants d , and x believes that a is a means to attain d under the circumstances, then x does a .”¹⁷² On this conception, he assumes that a person’s desires and beliefs play a role in her behavior. Since rationality is defined in forms of achievement of goals, ends, and desires, it is claimed that individuals have ends or goals toward which their actions are aimed.¹⁷³ However, regarding Rosenberg’s formula we can ask: Where do these intentions, desires and goals come from? But according to him, in the following paragraph, this question does not seem right and leads to infinite regress:

¹⁷⁰ Nicholas Rescher, *Rationality: A Philosophical Inquiry into the Nature and the Rationale of Reason* (Oxford: Clarendon Press, 1988), 3.

¹⁷¹ Donald T. Campbell, “Rationality and Utility from the Standpoint of Evolutionary Biology,” *Rational Choice: The Contrast between Economics and Psychology* (Chicago: The University of Chicago Press, 1987), 173.

¹⁷² Alexander Rosenberg, *Philosophy of Social Science* (Boulder: Westview Press, 2016), 48.

¹⁷³ Zey, *Rational Choice and Organizational Theory*, 2.

[In order] to explain an action, we need to identify the beliefs and desires that produced it, in accordance with (L). To identify those beliefs and desires with any precision, we need to know more about further beliefs and desires. Then we need to know about still further desires and beliefs, the original problem faces us all over again. We have made little progress in answering the challenge to our original explanation.¹⁷⁴

We can find a similar idea in Michael Taylor who says, “all explanation has to take *something* as given; the explanatory buck has to stop *somewhere*.”¹⁷⁵ Is *bona fide* acceptance of intentions and desires as given the only way to get rid of infinite regress?

Third, there is no necessary relationship between giving reasons and identifying real causal factors according to Rosenberg’s definition. Since the definition is insufficient, Rosenberg adds further conditions to determine causal factors. However, these additions are not sufficient for Donald Davidson who proposes another model that includes “reason for action” as a condition. According to Davidson, it must be possible to see how that reason caused the action “in the right way.”¹⁷⁶ With this definition a rational action stands in a certain relation to the agent’s beliefs, desires, purposes, that is, their reasons for acting as in the following: If an individual has a desire, all things considered, to bring about goal X; If she believes, all things considered, that action A is the most effective means to goal X; Then, the individual acts rationally if she brings about action A for those reasons. Thus rationality is understood as a property of an individual’s intentions, desires, actions in a way that the choice of action makes these intentions realized. Actions cannot be fully explained without the individual’s intentions, desires and beliefs.¹⁷⁷ No action can be

¹⁷⁴ Rosenberg, *Philosophy of Social Science*, 48.

¹⁷⁵ Michael Taylor, “Structure, Culture, and Action in the Explanation of Social Change,” *Politics and Rationality*, ed. William James Booth, Patrick James, Hudson Meadwell (Cambridge: Cambridge University Press, 1993), 94.

¹⁷⁶ Donald Davidson, *Essays on Actions and Events* (Oxford: Clarendon Press, 2001), 79.

¹⁷⁷ Parsons, *Rational Choice and Politics: A Critical Introduction*, 9.

considered rational without a corresponding intention proper to it. When intentions are verbally expressed, they are taken as reasons for action.

Donald Davidson wants to know the relation between a rational action and agent's given reasons for doing it. He argued that the only clear way to understand action is to hold that reasons are causes. In other words, he rejected the idea that the relationship between reasons and actions could not be understood in causal terms and argued that reasons explain actions inasmuch as they are the causes of those actions.¹⁷⁸ A rational actor chooses the action that will realize her desire as much as possible, given her beliefs and desires. Since such explanations "rationalize" the action,¹⁷⁹ an action is explained when we see the agent's intentions which include agent's belief and attitudes; namely, her basic urges, moral or aesthetic views, economic or social prejudices or conventions.¹⁸⁰ Then, giving a reason for an action often involves the agent's beliefs and attitudes. So rationality has to do with how people acquire beliefs from evidence and connect reasons to actions. And in this account, irrationality means that the individual's reasons are not good for the action chosen.¹⁸¹

Elster agrees with Davidson so far but he strongly stresses the consistency of beliefs and desires:

¹⁷⁸ Jeff Malpas, "Donald Davidson", *The Stanford Encyclopedia of Philosophy*, Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2010/entries/davidson>.

¹⁷⁹ Contemporary discussions of the nature of intentionality are an integral part of discussions of the nature of minds: what are minds and what is it to have a mind? They arise in the context of ontological and metaphysical questions about the fundamental nature of mental states: states such as perceiving, remembering, believing, desiring, hoping, knowing, intending, feeling, experiencing, and so on. What is it to have such mental states? How does the mental relate to the physical, i.e., how are mental states related to an individual's body, to states of his or her brain, to his or her behavior and to states of affairs in the world? For more details, see Jacob, Pierre, "Intentionality", *The Stanford Encyclopedia of Philosophy*, Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/fall2010/entries/intentionality>

¹⁸⁰ Mark Risjord, "Reasons, Causes, and Action Explanation," *Philosophy of the Social Sciences* 35 (2005): 1.

¹⁸¹ Lawrence H. Simon, "Rationality and Cultural Relativism," *Routledge Encyclopedia of Philosophy*, 81.

Ideally, then, a rational-choice explanation of an action would satisfy three sets of requirements: First, there are three optimality conditions. The action is the best way for the agent to satisfy his desire, given his belief; the belief is the best he could form, given his desire. Next, there is a set of consistency conditions. Both the belief and the desire must be free of internal contradictions. The agent must not act on a desire that, in his own opinion, is less weighty than other desires which are reasons for not performing the action. Finally, there are a set of causal conditions. The action must not only be rationalized by the desire and the belief; it must also be caused by them and, moreover, caused “in the right way (it must have been intended by the agent to produce the effect it in fact produced). Two similar causal conditions are imposed on the relation between belief and evidence.¹⁸²

As the quotation expresses it clearly that consistent beliefs and desires can be reasons for action.¹⁸³ Also, rational beliefs must be grounded in the available evidence. Therefore, Elster specifies his own model by four related elements: action, desires, beliefs, and evidence.¹⁸⁴ Beliefs and desires are the first causes of action. That is, desires are neither rational nor irrational, they just are, and they are accepted as given.¹⁸⁵ Beliefs unlike preferences are regarded as capable of being rational or irrational. And for a belief to be rational it must be grounded in the information that is available to the agent.

2.4.4. Structures cannot be Reduced to Individual Choices

The methodological individualism claims that the content of our beliefs and intentions are ontologically independent of social events, relations and interactions. One of the challenges to this idea in recent decades came from the Kripke interpretation of Wittgensteinian rule-following. According to this

¹⁸² Jon Elster, “Introduction” in *Rational Choice*, ed. Jon Elster (New York: New York University Press, 1986), 16.

¹⁸³ Elster, *Sour Grapes: Studies in the Subversion of Rationality*, 3.

¹⁸⁴ Jon Elster, *Reason and Rationality* (New Jersey: Princeton University Press, 2009).

¹⁸⁵ Parsons, *Rational Choice and Politics: A Critical Introduction*, 8.

argument, the content of the individuals cannot be reduced to mental or biological states. The content of mental states in the sense of conceptual ideas or dispositions is finite and therefore cannot be sufficient in determining their application to infinite number of cases in society. The content can only be determined within the context of social praxis. It is not meaningful to talk about the correct or incorrect application of a rule or the correct or incorrect use of a word, a sentence, a statement independently of their usage in social relations and interactions. The individual mental states, beliefs, intentions etc. are inherently and inseparably linked to social practices.¹⁸⁶

The mental content of individual beliefs is determined by the social interactions in which the individual participate. Social relations provide two alternatives to individuals: what is correct according to them and what is correct according to the social relations. Through the reward and punishment system, social interactions determine the conceptual content of the mental states and the intentions of the individuals. Two kinds of approach have been developed with regard to social interactions. The radical approach indicates that there is no criterion other than the communal agreement with regard to the correct application of a rule or the right use of a word. This skeptical attitude was claimed to be Wittgenstein's final verdict. The more moderate approach claims that even though social relations determine the content of our beliefs, there are truth conditions that go beyond the communal agreement.

2.5. Conclusion

At the end of this chapter, I offer only the most preliminary of conclusions, because the application and discussion shall continue in the next two chapters. In this chapter first, I have examined one of the basic assumptions underlying the theory of rational choice, namely that individuals are rational and they maximize their utility; second, I have applied these assumptions to the domain

¹⁸⁶ Michael Esfeld, "Holism and Individualism in History and Social Science (Addendum)" *Encyclopedia of Philosophy*, ed. Donald M. Borchert (New York: Thomson Gale, 2006), 448-450.

of culture and identity; third, I have discussed the success of the application and introduced, briefly, reasons why there is a need for criticisms, and why these topics may be seen as viable candidates for this criticism. So this chapter concludes as follows:

- [i] The RCT and its application showed that culture can be assumed not just a given or predetermined phenomenon but a *chosen* in which individuals behave according to the principles of rational choice. Having a social identity does not necessarily preclude an individual from choosing among various alternatives as components of his or her identity.
- [ii] The RCT and its application also showed that utility maximization as an explanation for behavior can be a useful model in the context of cultural behavior of individuals as well.
- [iii] However, the RCT has its limits and fails to provide a full explanation for all types of cultural behavior, because individuals sometimes act in accordance with norms that do not necessarily come under the brute cost-benefit analysis.
- [iv] The RCT also fails to recognize that decisions of public institutions, public bodies and governments may not be total sum of the individual preferences. In other words, an understanding of individual action is not sufficient to explain all social processes.
- [v] The RCT further fails to acknowledge that the assumption of perfect rationality ascribed to all individuals regardless of their environment, history and culture does not correspond to the real life situations including cultural matters.

CHAPTER 3

PUBLIC CHOICE THEORY AS A MODEL FOR CULTURE

3.1. The Problem

Humans are endowed with a capacity to reason over a set of alternatives, to make rational choices and to act upon their choices. They are able to carry out the requirements of rationality alone and in cooperation with others as well. The previous chapter was mainly concerned with rational choices carried out in *solo*. Rationality as a property of the individual can also manifest itself in interpersonal relations. In fact, rationality becomes inevitable when two individuals are obliged to share limited resources. What happens then, when two or more people must share a good or must cooperate to realize their benefits? The RCT does not provide any explanation for collective behavior, but claims that all collective entities can be explained largely as outcomes of individual actions, i.e. *aggregations*.¹ Since the RCT is limited in its analysis of cases where more than one individual is involved, we need to consider whether game theory can provide an explanation for the multiplayer cases. The games of stag-hunt and meadow draining, mentioned previously by Jean Jacques Rousseau and David Hume, are examples of game theory which provide an explanation for the behavior of rational individuals when they interact. Rousseau's version is as follows:

¹ Viktor J. Vanberg, "Public Choice from the Perspective of Sociology," *The Encyclopedia of Public Choice*, ed. Charles K. Rowley and Friedrich Schneider (New York: Kluwer Academic Publishers, 2004), 244-251.

If a deer was to be caught, everyone clearly sensed that this required him faithfully to keep his post; but if a hare happened to pass within reach of one of them, he will, without a doubt, have chased after it without a scruple and, after catching his prey, have cared very little about having caused his Companions to miss theirs.²

Similarly, the following passage is mentioned by Hume in his *Treatise*,

Two neighbors may agree to drain a meadow, which they possess in common; because 'tis easy for them to know each others mind, and each may perceive that the immediate consequence of failing in his part is the abandoning of the whole project. But 'tis difficult, and indeed impossible, that a thousand persons shou'd agree in any such action.³

These examples mentioned by Rousseau and Hume are taken by the rational choice theorists as an indication of a crucial tension between individual rationality and collective actions, which can emerge as follows:⁴

- [i] Which option is better: The certain but smaller reward of hare, or the risky but larger reward of stag?
- [ii] Is there any reason to believe that the other person will cooperate for stag hunting?
- [iii] What happens if everyone else in the group cooperates for stag hunting while one does not as a *free rider* who gets something for nothing?

The stag-hunt example can be expressed in the following matrix with numeric values:

² Jean Jacques Rousseau, "Discourse on the Origin and Foundations of Inequality among Men," in *Basic Political Writings*, ed. Donald A. Cress (Indianapolis: Hackett Publishing Company, 1987), 25-109.

³ David Hume, *A Treatise of Human Nature* (London: Thomas and Joseph Allman, 1817), 256.

⁴ Len Fisher, *Rock, Paper and Scissors: Game Theory in Everyday Life* (New York: Basic Books, 2008), 86.

Players : 1 and 2

Strategy 1: Stag

Strategy 2: Hare

Table 3: The Stag Hunt⁵

Player 1	Player 2	
	Stag	Hare
	Stag	2,2
	Hare	1,0

Capturing a stag provides 2 points, but a hare provides 1 point to each player. If two players insist on hunting hare, then they secure 1 point each. If Player 1 wants to hunt stag, the result depends on the other player's choice. If both hunt stag they will get the best reward, 2 points each. If the Player 2 wants to hunt hare, Player 1 gets 0, and Player 2 gets 1 point.⁶ The table shows that players must cooperate in order to have the optimal outcome (2,2), assuming that they do not know each other's strategy (incomplete information). If they do not cooperate, on the other hand, this leads to outcomes that are less than optimal or rational, (i.e. 1,1 *suboptimal outcome*)⁷

The reason for the popularity of games like the stag-hunt in social sciences and humanities is that they provide a model to evaluate quantitatively the strategies of two or more players and their expected utilities, their strategies of cooperation and conflict. The game theory proved to be useful in economics, politics,

⁵ The table adapted from Brian Skyrms, *The Stag Hunt and the Evolution of Social Structure* (Cambridge: Cambridge University Press, 2004), 5.

⁶ Bruno Verbeek and Christopher Morris, "Game Theory and Ethics," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, <http://plato.stanford.edu/archives/sum2010/entries/game-ethics>

⁷ Donald P. Green and Ian Shapiro, *Pathologies of Rational Choice: A Critique of Applications in Political Science* (New Haven: Yale University Press, 1994), 74.

anthropology, cultural studies, philosophy, and even literature due to its simplicity, quantitative advantage, and scientifically testable character.⁸ As I have previously indicated, the RCT leaves many questions unanswered concerning the analysis of the content of preferences and it also focuses on the individual and his preferences in an isolated environment disregarding preferences of the others. In order to widen the scope of the rational choice, we must investigate decisions which individuals make through mutual influence in a relational context.

3.2. Model: The Public Choice Theory

My intent in this section is not to discuss all aspects of the PCT; it is much more modest than that. I want to develop a model of rational choice for the domain of culture. Before doing this, I will look at a domain where the RCT intensively studied: politics. This section will review the RCT in politics focusing on two key concepts that play a crucial role in our understanding of political behavior. They are [1] *Political Exchange* and [2] *Government Failure*. The analysis of these two concepts will help us to develop a model to explain the cultural behavior of individuals, groups, governments, as well as international organizations in the following section.

3.2.1. Political Exchange

The public choice theory may be understood as one of the applications of rational choice to political field where the behavior and decision of the participants are treated as collective and the goods are exchanged between the public and the politicians. In addition, another theory of exchange, *social exchange theory*, has been developed to explain interactions in the society over items that are not economic or political but social in nature. Similar to the theories of exchange in

⁸ Contiguous character of the RCT has recently reached to literary studies; for an application of the game theory to literature, see Michael Suk-Young Chwe, *Jane Austin Game Theorist* (Princeton: Princeton University Press, 2013).

economics and politics, social exchange theory is based on the assumption that individuals interact with each other in social contexts and exchange goods and rewards.⁹ The main function of this concept is to direct attention to “the emergent properties in interpersonal relations and social interaction.”¹⁰ During the process of social exchange, individuals create social interactions to be mutually beneficial.

The difference between the exchange theories is their subject matter; so far as the method is concerned they all apply the principles of the PCT to their specific domain. While political exchange makes an analogy between market behavior and political behavior, social exchange theory makes an analogy between market behavior and social behavior. Social exchange takes place on social goods such as approval, security, trust and love, etc.¹¹ Social exchange theory also builds upon the assumptions of self-interest and methodological individualism which we have discussed in the previous chapter in relation to the RCT. These assumptions are taken to explain a range of behavior in society from simple greeting in streets to sophisticated rituals in selective gatherings, in the way they explain political interactions such as voting, parties, bureaucracy, interest groups, parliaments, and their activities.¹² Furthermore, in both theories, the individual is equipped with a set of preferences and actions. Though both use the PCT as their method, the difference between them in the way they approach to their subject matter is different. The political exchange theory aims to describe the paradoxes of individual choices in politics but at the same time advocates significant reforms in

⁹ Milan Zafirovski, “Social Exchange Theory under Scrutiny: A Positive Critique of its Economic Behaviorist Formulations,” *Electronic Journal of Sociology* (2005).

¹⁰ Peter M. Blau, *Exchange & Power in Social Life* (New Jersey: Transaction Publishers, 2006), 4.

¹¹ Zafirovski, “Social Exchange Theory under Scrutiny.”

¹² Kwang Choi and Sung-Kyu Lee, “Different Perspective on Public Choice Issues between Economists and Political Scientists in Korea: A Survey Analysis,” [http://web.ias.tokushima-u.ac.jp/naito/no.36\(Kwang%20Choi%20and%20Sung-Kyu%20Lee\).pdf](http://web.ias.tokushima-u.ac.jp/naito/no.36(Kwang%20Choi%20and%20Sung-Kyu%20Lee).pdf)

processes and institutions; the social exchange theory, on the other hand, do not recommend any changes either at the procedural or institutional level. Perhaps we may summarize their differences as follows: while the political exchange theory has a normative element, the social exchange theory is mainly descriptive. Since norms are philosophically significant, from now on, I will focus on the PCT in politics.

One of the pioneers of public choice theory, James M. Buchanan, uses the game theory to analyze the real-world political institutions, which he claims to be “nothing more than the set of processes, the machine, which allows such collective action to take place.”¹³ According to him, policy is a game played in political process. The best way to play this game is to define and implement its rules. When these rules seem to be insufficient, these rules are changed, improved or the new rules are introduced. As long as the rules are set and clearly explained, there is no need for charismatic administrators to implement them. It was due to a misapprehension of the traditional view that the governments and institutions were in need of competent individuals to maintain the process, to fix failures and to improve the system.

Prior to the emergence of the PCT, many scholars tended to think of government as a mechanism that would do good if the rulers are decent and the resources are sufficiently available.¹⁴ But as it was pointed out, “[t]he traditional public interest view of government fails to account for the nature of political action and instead focuses on putting ‘good’ people in office.”¹⁵ Similarly, the traditional view has it that decision-making mechanisms follow certain norms and values due

¹³ James M. Buchanan and Gordon Tullock, *The Calculus of Consent: Logical Foundations of Constitutional Democracy* (Indianapolis, IN: Liberty Fund, Inc., 1999), x.

¹⁴ P.J. Hill, “Public Choice: A Review,” *Faith & Economics* 34 (1999): 1-10.

¹⁵ Peter J. Boettke, “Virginia Political Economy: a View from Vienna,” *Market Process* 5 (1987): 7-15.

to the impact of the leading actors. Furthermore, the traditional view is not interested in providing an explanation for why individuals must act in accordance with these norms and values. By contrast, the PCT concentrates on the normative aspects of the behavior of political actors. The PCT is interested in providing a framework in which the adequate rules govern the behavior of all actors, while the traditional view tries to give an account for a behavior of the gifted leaders.

The main reason for the PCT to emphasize the rules, rather than rulers, is that governments consist of individuals who are also self-interested in the sense of *homo-economicus*. In other words, they are not selfless idealists. If that is the case, no matter how talented they are, the rulers are also subject to the same kind of constraints and considerations that are applicable to actors in the market. In order to explain the validity of the analogy between markets and politics, the PCT introduces the concept of *political exchange* to analyze the decisions and behavior of political actors such as voters, candidates, representatives, pressure groups, bureaucracy, and government that are all involved in the game of politics and all are interested to promote their utilities through mutually beneficial agreements.¹⁶ Just as in the market, in politics individuals exchange goods voluntarily. Since they are assumed to be rational, self-interested and goal-oriented, they exchange goods that have less value with the goods that they value more just as they exchange goods in the market.¹⁷ In order to increase their utility, some want to be in the government for power, others in bureaucracy for social networking, and still others want to become government employee for financial and social security and the public expect the return of their votes as benefits and services.

The analogy between markets and politics, however, goes only so far, and we have to underline certain differences between both. When someone makes a

¹⁶ Hill, "Public Choice: A Review," 1-10.

¹⁷ Bart Engelen, "Thinking Things Through: The Value and Limitations of James Buchanan's Public Choice Theory," *Review of Political Economy* 19 (2007): 165-180.

choice in the market, she calculates her costs and benefits individually and gains or occasionally loses depending upon the calculation and circumstances. In politics however, decision makers may or may not be the ones who pay for the costs and receive the benefits which is known as the incalculability of political goods. For example, one may end up paying for the construction of a road which she will never use or one can use a road daily for which she has never paid anything. In that sense, the market preferences are more clear and coherent than political preferences. We can freely choose among the alternatives and there is no direct conflict between our preference and the preferences of others; the conflict of interest in markets happen but it is much rarer than the conflict of interest in politics. So we do not have to face the results of being denied in the market but in the politics we do. Furthermore, when we buy something in the market, we pay for what we buy; when we vote for a candidate, we vote for her or her party as a package.

The political system is not open to division; we cannot ask for the removal of a policy that our party is committed; party programs usually come as wholesale and individuals have very little influence in shaping it. Another difference between markets and politics is that while we spend money in the market we do get something in return. However, in an election we have only one vote to cast, and if the candidate we vote does win, then we get nothing. Besides, exchange of goods in politics ideally takes place in an established constitutional order; even though markets are regulated, there is a wider margin of freedom in markets than in politics with regard to the way goods are exchanged. Political exchange ideally takes place according to a set of rules and rights on which the individuals have already agreed.

Due to these differences, many public choice theorists think that exchange in politics is more complex than exchange in the market. And “one of public choice’s key insights is that outcomes in political markets differ from those in ordinary markets, not because the behavioral motivations of individuals are

different in the two settings, but because of fundamental differences in the institutional frameworks within which rational actors pursue their self-interests.”¹⁸ As long as the individuals retain their self-interest and decide according to the principles of rationality, we have no reason to turn to other methods than the PCT in politics.

Despite these differences, the analogy between politics and markets, so far as the decisions and behavior are concerned, is useful to explain and predict the outcomes of behavior in the field of politics.¹⁹ The significant feature of this analogy, for Buchanan, is that actions in both domains are based on voluntary exchange among individuals to increase their benefit. Individuals choose to be in politics, since they know that they can increase their utilities through managing political activities than struggling individually in other sectors. If the analogy holds, then what we need is a normative structure for the right and just rules of exchange in the field of politics.

Exchange is an essential aspect of all human relations. When two individuals interact even in non-verbal encounters they exchange things, which is a sign of cooperation and this exchange can be cast within the frame of cost and benefits analysis. Exchange can be economical, political, and social and even moral. Indeed, the idea of exchange, the give and take of daily life may be considered as social glue that solidify the connections between the individuals. This point is aptly expressed by Halil Turan in the following quote as “part of the morals of a society”:

If morality principally aims at the good of the society, then values of daily commerce necessarily fall under the heading of

¹⁸ William F. Shughart, “Logic of Collective Action,” *The Encyclopedia of Public Choice*, ed. Charles K. Rowley and Friedrich Schneider (New York: Kluwer Academic Publishers, 2004), 360.

¹⁹ James D. Gwartney and Randall G. Holcombe, “Politics as Exchange: the Classical Liberal Economics and Politics of James M. Buchanan,” *Constitutional Political Economy* 25 (2014): 265–279.

morality, since they concern the needs and expectations of happiness of the people. Hence, even exchange is a part of the morals of a society, just like art which renders beauty and virtue apparent, and law which determines rights and responsibilities. Morality can hardly be detached from these common systems nor can moral values be considered apart from one's needs and prospects of a happy life.²⁰

To show the place of exchange and its moral significance in daily life, let us take the example of two people meeting in public. They have two alternatives at the minimum greeting and not greeting each other. The alternatives are as following:

Players : A and B

Strategy 1: Greeting

Strategy 2: Not Greeting

Table 4: Social Greeting²¹

	A's choice		
		Greeting	Not Greeting
	Greeting	Peer Relation (2 nd choice of both)	A superior to B (A's first choice)
	Not Greeting	B superior to A (B's first choice)	No Relation (Last choice of both)

We assume that the players would have an incentive to keep their relations continue. If they greet each other, this would be conducive to the retaining of their relationship and afterwards they may go on their own way. Since greeting is costly and time consuming, and being greeted is gainful and pleasant, we may also expect

²⁰ Halil Turan, "Is Ethics Transcendental?" *Analecta Husserliana: The Yearbook of Phenomenological Research* 108 (2011): 142.

²¹ The table adapted from Peter Blau, *Exchange & Power in Social Life*, 45.

that players would prefer not to greet while being greeted as their best choice. If A and B chooses this strategy, namely “not greeting,” then both ends up with “no relation” status which is the last choice of both, and breaks the relationship and given their intention to retain their relationship, it creates a paradox: even though they want to keep their relations, they choose no relation status. Here are the assumptions for the matrix:

- [i] The first preferences of individuals is to have relation with each other
- [ii] If each greets the other, then relationship continues.
- [iii] If only one of them greets, then the one who does not would be superior and the one who does would be subordinate.
- [iv] If neither greets, the relationship will end in spite of their mutual desire to retain their relations.

The case of greeting can be explained within the framework of RCT as a kind of exchange. The matrix shows that A may decide not to greet if A finds it beneficial and gains from not doing so. So this exchange of strategies is a kind of rational choice behavior. Even if there are no explicit written rules, actors, in such a situation, make their decisions as motivated by utility maximization. Thus, they are involved in social exchange situations to satisfy their needs.²²

As the greeting example shows when two actors interact they make their decisions rationally and follow their own interests. The game theory puts choice within the context of self-interest.²³ This is not new and it has been pointed out by the author of the *Wealth of Nations*, Adam Smith, who argued that being self-

²² Zafirovski, “Social Exchange Theory under Scrutiny.”

²³ Norman Frohlich and Joe Oppenheimer, “Self-Interest,” *The Encyclopedia of Public Choice*, ed. Charles K. Rowley and Friedrich Schneider, 2004.

interested is the most basic motivation that guides human actions.²⁴ In fact, this desire is considered to be a feature of rational persons. Smith, however, does not encourage people to be self-interested egoists; his claim is that individuals act out of self-interest.²⁵ In other words, as far as individual choices are concerned, his theory is descriptive, not normative. He says in his frequently quoted paragraph: “It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our own necessities but of their advantages.”²⁶ What justifies self-interest is that individuals, while following their own interests, promote at the same time public good.²⁷ As a modern scholar expresses it, “small groups with sharply focused interests have more influence in decision-making than much larger groups with more diffused concerns, such as taxpayers.”²⁸ In other words, the rationally self-interested behavior does not necessarily lead to a pessimistic situation in politics as long as *self-interest* is considered justifiable.²⁹

²⁴ Arguing against this reduction, Thomas Wells claims that Adam Smith “resisted reducing all motives to self-interest and considered man a fundamentally social being, motivated to seek the approval of others and to help those dear to him. Smith’s ethics was concerned with explaining how individuals become decent moral agents and how a sustainable moral order can evolve without central direction or coercion. Thomas Wells, “Adam Smith on Morality and Self-Interest,” *Handbook of the Philosophical Foundations of Business Ethics*, ed. C. Luetge (Dordrecht: Springer Science Business Media, 2013).

²⁵ Iain McLean, *Adam Smith, Radical and Egalitarian: An Interpretation for the 21st Century* (Edinburgh: Edinburgh University Press, 2006), 85.

²⁶ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Chicago: University of Chicago Press, 1976), 18.

²⁷ Adam Smith, *Correspondence of Adam Smith* (Oxford: Oxford University Press, 1982), 456.

²⁸ Eamonn Butler, “On the Death of James Buchanan,” www.adamsmith.org/blog/economics/on-the-death-of-james-buchanan

²⁹ Jeffrey Friedman, “Economics Approaches to Politics,” *The Rational Controversy* (New Haven & London: Yale University Press, 1995), 4.

Adam Smith's optimism with regard to the accumulation of self-interests into public good has been criticized as unrealistic and even romantic. Selfishness without any rules or constraints could lead to situations where not only the public good is hindered but the individual self-interest can even be harmed.³⁰ The PCT is after the realities of the political interactions not the romantic notion of political processes.³¹ The PCT focuses on how public institutions operate not on "how such institutions might be hoped to operate."³² Buchanan makes this point as follows:

Public choice theory has been the avenue through which a romantic and illusionary set of notions about the workings of governments and the behavior of persons who govern has been replaced by a set of notions that embody more skepticism about what governments can do and what governors will do, notions that are surely more consistent with the political reality that we may all observe about us.³³

Buchanan's idea of de-romanticizing politics has opened new ways to question common political suggestions. Even though political and social processes are interest based and exchange oriented, they are much more complicated than Adam Smith's world in which bakers and butchers promote their own wealth. Take political elections for example: One of the main goals of politicians is to be elected by the citizens through populist policies. These policies are presented and propagated as useful for the overall welfare of the society. The exchange between politicians and voter occurs primarily through maximization of votes for politicians

³⁰ Hartmut Kliemt, "Public Choice from the Perspective of Philosophy" in *Encyclopedia of Public Choice*, ed. Charles K Rowley, Friedrich Schneider (Dordrecht: Kluwer, 2004), 235-244.

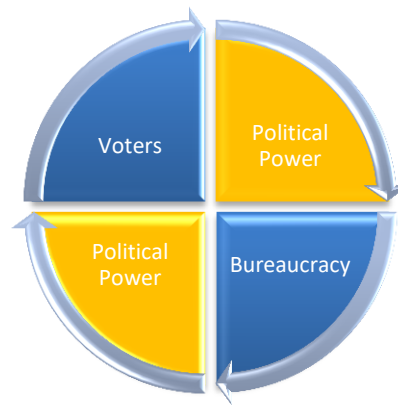
³¹ James M. Buchanan, "Politics without Romance: A Sketch of Positive Public Choice Theory and Its Normative Implications," *The Collected Works of James M. Buchanan* (Indianapolis: Liberty Fund, Inc., 1999), 45.

³² *Ibid.*, 47.

³³ *Ibid.*, 46.

and maximization of public services for citizens. While voters want to benefit more from public services, in return politicians want more votes by providing these services. In addition, there is also an exchange at another level that occurs between politicians and bureaucrats. While bureaucrats wish to promote their interests and share by maximizing government budget, politicians secure the support of bureaucrats to enhance their power and self-interest.

Table 5: Political Exchange between Political Actors



Thus, politics is a process of exchange in the interest game. Seeing political behavior from this perspective reveals that while voters want to improve their living standards, bureaucrats want to advance in their career and politicians want to increase their power. So, all political actors, voters, bureaucrats, and politicians play the game of exchange. The PCT imposes certain rules for this game to secure its overall success and to prevent it from turning into a failure due to conflict of interests. Buchanan expresses this idea in the following paragraph:

If players are roughly equal in talents, a football match is “better” if there are equal numbers on the two opposing teams than if one team has double the number of players on the other. The players themselves are not different in the two cases, but the judgment about the “efficiency” of the game depends strictly on the presence or absence of a rule that dictates equal numbers on each side. These statements seem obvious, even trite, in

application to ordinary, everyday games that we observe. By generalizing these statements, we can say that in any setting of human interaction, the results depend on the rules within which persons engage, one with another, and, if these results can be evaluated on some scalar of preferability, so can the rules themselves. Just as there are “better” and “worse” outcomes, there are “better” and “worse” sets of rules that generate patterns of these outcomes.³⁴

Buchanan’s insistence on the rules of the game and their improvement is due to the fact that “changing the rules is perhaps much easier than changing the character of the players.”³⁵ Furthermore without clearly defined and expressed rules the political process is conducive to what is called *government failure*.

3.2.2. Government Failure

Within the context of the PCT, a set of problems have been identified as government failure, which is analogous to market failure. The problems originate primarily from lack of information, mismanagement, lack of regulation, misunderstanding of public interest, non-accountable bureaucracy, rationally ignorant voters, free riders and so on. These problems are not new and they have been discussed in political philosophy since the time of Plato. The PCT, however, brings a new methodological perspective on these problems deriving lessons from the idea of market failure except that failure here is that of government not of the market and those who fail are not sellers and buyers but the actors who participate in the political process. Government failure, in short is the failure of rationality of political actors.

It is traditionally assumed that “the market is made up of private citizens trying to increase their benefit but [the] government is concerned with something

³⁴ James M. Buchanan, “Same Players, Different Game: How Better Rules Make Better Politics,” *Constitutional Political Economy* 19 (2008): 171.

³⁵ *Ibid.*, 178.

called the public interest.”³⁶ This approach is known as public interest that advocates a common good and general the well-being of community as a whole. As Hume claimed,

Political society easily remedies [such] inconveniences. Magistrates find an immediate interest in the interest of any considerable part of their subjects. They need consult no body but themselves to form any scheme for the promoting of that interest. And as the failure of any one piece in the execution is connected, tho’ not immediately, with the failure of the whole, they prevent that failure, because they find no interest in it, either immediate or remote. Thus bridges are built; harbours open’d; ramparts rais’d; canals form’d; fleets equip’d; and armies disciplin’d; every where, by the care of government, which, tho’ compos’d of men subject to all human infirmities, becomes, by one of the finest and most subtle inventions imaginable, a composition, which is, in some measure, exempted from all these infirmities.³⁷

Hume believes that failures or inconveniences resulting from collective actions in society are resolvable through voluntary contribution or government coercion to pay taxes. Individuals see their wealth as connected to their society by contributing to the production of social benefits.³⁸ Accordingly, governments should regulate *the inefficient markets* by representing the interest and demands of society, rather than individual interests. However, as the following paragraph makes it clear, the basic assumptions of the PCT promote a very different idea:

If citizens choose representatives on the expectation that their choices will best serve the public interest, representatives choose the policies that best serve the public interest, and public servants implement these policies to the best of their ability, then one assumes that the public interest will be well served. Citizens

³⁶ Cited by John O’Neil, *Markets, Deliberation and Environment* (London: Routledge, 2007), 62.

³⁷ Hume, *A Treatise of Human Nature*, 257.

³⁸ Neva Goodwin et al., *Microeconomics in Context* (New York: M.E, Sharpe Inc., 2009), 36.

should be happy with the outcomes of the democratic process. In many countries, however, this seems to be far from the case.³⁹

Traditionally governments are assigned two duties: protection of the citizens and promotions of public good. The protective government enforces and enhances the rights of the citizens through constitutional contracts. The government that promotes public good, on the other hand, attempts to produce goods for the citizens for their use such as roads or schools etc. and these cannot be afforded by the citizens themselves.⁴⁰ The productive government, however, evolves and becomes a redistributive one through continuous interventions in economy under the name of public interest. The redistributive government transfers funds from its budget to private sector and it manipulates the market through financial policies. This intervention makes private sector realize that producing for public sector will be more profitable and less risky. Eventually, government involvement in markets will establish a new channel for the exchange of goods and benefits between the government and private sector and will result in the risk of aversive behavior of the private sector and ultimately will create an imbalance in market relations. Since government involvement in the market would lead to more expenditure, it is only natural to conclude that the government expenditure would grow faster than the total revenues, a point which was already known in the late nineteenth century.⁴¹ In addition to side effects such as making private sector lazy, government involvement in markets would create a vicious cycle between government expenditure and revenue increase.

³⁹ Dennis C. Mueller, "The Importance of Self-interest and Public Interest in Politics," *Critical Review: A Journal of Politics and Society* 23 (2011): 321-338.

⁴⁰ Peter J. Boettke, "James M. Buchanan and the Rebirth of Political Economy," *Economics and Its Discontent: Dissent in 20th Century Economics*, ed. R. Holt and S. Pressman (Cheltenham: Edward Elgar Publishing, 1998), 21-39.

⁴¹ Rati Ram, "Wagner's Hypothesis in Time-Series and Cross-Section Perspectives: Evidence from 'Real' Data for 115 Countries," *The Review of Economics and Statistics*, 69 (1987): 194-204.

In order to prevent this vicious cycle, the PCT scholars, such as Buchanan, advise to distinguish between the two roles of government that are mentioned above. For Buchanan, the true task of the government is to protect rights and freedoms of the citizens. This view that holds governments responsible for the provision of “goods and services for citizens in accordance with ‘social goals’ or ‘national priorities’ rather than in accordance with citizens’ own expressed desires.”⁴² Hence, by involving in markets, the government deviates from its real purpose of existence, namely the protector of the constitutional rights and freedoms. Instead, it becomes a *redistributor government* as a producer of services and other public goods. In other words, by growing in every area of public life and by maximizing its productive role, the government risks turning into the *Leviathan*. Buchanan prefers the protective government over the productive one and puts limits for the productive government holding it responsible against excessive extension.

Another argument against the productive government is concerned with the difficulty of defining the concept of common good. Since the government involvement in markets and government expenditure are justified under the pretext of common good, it makes a difference how this concept is understood or defined. It has already been indicated that the concept of public good has gone under dramatic changes over time and it has been understood and applied differently by various individuals, groups and governments depending upon commitments, interests and priorities. It is also debatable that whether there is a general common good for everyone or it is an aggregation of individual interests. Moreover, it is not clear whether it has a moral normative value demanding every citizen to obey the policies drafted under the name of public good regardless of each citizen’s specific conditions. In spite of these ambiguities and mute aspects, modern governments

⁴² James M. Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan* (Chicago: the University of Chicago Press, 1975), 99.

continue to plan their programs and assess their performances by following the so called public good or interest.

The concept of public good in some cases is used as a cover up for government failure. The PCT claims that political actors who manage national budget maximize their private interests while claiming that they increase the public good. Even more disturbing is that political decisions, even more than market decisions, are vulnerable to be inefficient and faulty.⁴³ There have been criticisms that bureaucrats who are expected to promote public good end up increasing their own pay, power and prestige through various means such as customizing their work hours, vacation days, and retirement salaries according to their own interests.⁴⁴ A public choice theorist, William A. Niskanen who himself was a bureaucrat claims that bureaucrats pursue their own interest, while they are putting in force policies and regulations supposedly justified as for collective good and public interest. Using this pretext, they easily get approval and funds for certain projects and expenditures through taxation. Furthermore, they do not have to bear the costs of their decisions, or give an account for the applications of these decisions to the citizens.⁴⁵

Unfortunately, though citizens as taxpayers and rational agents finance operations of bureaucrats and may monitor their behavior, they have very little incentive to do that for the lack of information or due to their indifference.⁴⁶ Eventually, public ignorance or indifference leads to the problem of inefficiency on behalf of the bureaucrats. This is called *the government failure* which is

⁴³ Eamonn Butler, *Public Choice: A Primer* (London: The Institute of Economic Affairs, 2012), 25.

⁴⁴ William A. Niskanen, *Bureaucracy and Representative Government* (New York: Aldine, 1971).

⁴⁵ Ibid.

⁴⁶ Thomas E. Borchering and Portia D. Besocke, "The Contemporary Political Economy Approach to Bureaucracy," *The Encyclopedia of Public Choice*, ed. Charles K Rowley and Friedrich Schneider (Dordrecht: Kluwer, 2004), 116-121.

comparable in many respects to the *market failure*.⁴⁷ Similar to the markets, supply and demand should be balanced in the politics but the government failure shows that political demands have not been met.⁴⁸ The main contribution of the PCT is to show that there is a natural balance between political actors as in the market. Similar to the market, conflict of interests in politics balance each other spontaneously. The failures are the result of imbalance caused by the political actors. The following matrix on money-spending illustrates one of the government failures that results from unbalanced spending by the politicians and other interest holders.

Players : You and Someone Else

Strategy 1: Money Spent on

Strategy 2: Money Spent by

Table 6: Money-Spending Matrix ⁴⁹

Money Spent on Money Spent by	You	Someone Else
Your money	A	B
Someone else's money	C	D

Milton Friedman describes the matrix as follows: The cell *A* shows that you spend your money for yourself. You will try to buy highest quality for lowest cost. The cell *B* says that you spend your money for someone else. When you buy a gift for a

⁴⁷ Mark Pennington, "Property Rights, Public Choice & Urban Containment: A Study of the British Planning System" (PhD diss., London School of Economics and Political Science, 1997), 23.

⁴⁸ Butler, *Public Choice: A Primer*, 115.

⁴⁹ Adapted from Milton & Rose Friedman, *Free to Choose* (New York: Avon Publishers, 1981), 116.

friend, for example, you will try to spend less in comparison to the cell A. The cell C indicates that you spend someone else's money for yourself. In this case, you will pay attention to the quality of the product while disregarding the price. Consider that you spend your father's money for yourself and if there is no limit, you will spend freely. The cell D shows that you spend someone else's money for someone else. There is no incentive for you to minimize spending while maximizing the quality. For Friedman, the cells C and D show spending behavior of politicians and bureaucrats, causing spending frenzy. He explains this in detail as follows:

Legislators vote to spend someone else's money. The voters who elect the legislators are in one sense voting to spend their own money on themselves. The connection between the taxes any individual pays and the spending he votes for is exceedingly loose. Bureaucrats who administer the programs are also spending someone else's money. Little wonder that the amount spent explodes. The bureaucrats spend someone else's money on someone else. Only human kindness, not the much stronger and more dependable spur of self-interest, assures that they will spend the money in the way most beneficial to the recipients. Hence the wastefulness and ineffectiveness of the spending.⁵⁰

Politicians and bureaucrats are responsible in government failure due to their self-interested and reckless decisions and behavior. But the question we have to ask is this: Is this an unavoidable consequence? In other words, is there a way in which self-interested politicians and bureaucrats do not necessarily bring about government failure? In fact, the PCT claims that it is possible to be self-interested and at the same time avoid government failure. A well-regulated self-interest, when properly conducted, may be efficient and may even contribute positively to the management of public good. The government failure is a matter of poorly regulated and misguided self-interest. As long as the politicians and bureaucrats pursue their

⁵⁰ Milton & Rose Friedman, *Free to Choose* (New York: Avon Publishers, 1981), 117.

interest in a reasonable manner, following appropriate rules that are beneficiary for everyone, there is no reason why this should lead to government failure.

3.2.3 Voting

In addition to the politicians and bureaucrats, who else are responsible for government failure? The voters also contribute to the failure within their capacity. Indifference of voters and their ignorance are among the factors that increase government failure. These two issues have been studied extensively in the literature. Indeed, indifference and ignorance are not necessarily qualification of voters but they may be results of a rational assessment of a dilemma that the voters face. This is called the paradox of voting which is explained in the following quote: “One vote has so small a probability of affecting electoral outcomes that a realistic egoist pays no attention to politics; he chooses to be, in economic jargon, *rationally ignorant*.”⁵¹ If he votes, he needs first acquire information about the candidates and party programs; and second, he needs to spare time on the day of election and finally, he needs to make extra efforts to complete voting process. Since time is money and acquiring information needs time, individuals calculate their benefits against the costs.⁵² If the costs for voting increase, individuals’ willingness to vote will decrease, and if the cost overrides the benefits he or she will perhaps not vote at all. Moreover, when the effect of a single vote on determining the results of election is considered, it would be reasonable not to vote at all.⁵³ But the citizens vote anyway even though this is not a fully rational act on their behalf. Why?

⁵¹ Bryan Caplan, *The Myth of the Rational Voter: Why Democracies Choose Bad Policies* (New Jersey: Princeton University Press, 2007), 5.

⁵² George J. Stigler, “The Economics of Information,” *The Journal of Political Economy* 69 (1961): 213-225.

⁵³ Anthony Downs, *An Economic Theory of Democracy* (New York: Harper and Row, 1957).

There have been certain attempts to explain this puzzling situation and Anthony Downs thinks that individuals vote because they “desire to preserve the democratic system.”⁵⁴ Even if they are not knowledgeable enough to make an accurate assessment among the parties and candidates, they may still get benefits by voting since they would be supporting a democratic system in which governments provides goods to all.⁵⁵ A slightly different explanation points out that since some individuals are charitable and even altruistic, they integrate public interest into their decision to vote. So, some individuals may vote for the common good even if they do not directly benefit from it.⁵⁶ It is also possible that some vote out of their sense of duty. Even though these attempts may explain some individuals’ behavior, it is not a full scale solution for the paradox of voting. The framing of the paradox as a rational choice problem i.e., individual makes decisions independently of others’ behavior may be incomplete. Since voting is a collective process it would be more reasonable to place the individual in a context where she makes her decisions in which her decisions and actions depend upon the decisions and actions of others strategically. This approach transforms the paradox of voting from the level of rational choice theory into a public choice problem.

Buchanan believes that the choice of a society that consists of individual members must reflect the choice of its members. Public choice is nothing but the sum total of the individual preferences.⁵⁷ There are, however, some obstacles that disturb this formulation. One obstacle is this: let us think that a society has to make

⁵⁴ Ibid.

⁵⁵ Gordon Tullock, “A (partial) Rehabilitation of the Public Interest Theory,” *Public Choice* 42 (1984): 89-99.

⁵⁶ Ibid.

⁵⁷ James M. Buchanan, “Social Choice, Democracy and Free Markets,” *The Collected Works of James M. Buchanan* (Indianapolis: Liberty Fund, Inc., 1999); Gerald Sirkin, “The Anatomy of Public Choice Failure,” *Economics of Public Choice* (New York: Cyrco Press, 1975), 15-26.

a choice between two alternatives: (x) and (y). Let us say that an individual in this society prefers (x) to (y). This may be symbolically expressed as (x) P_i (y). If there is no difference between (x) and (y) for this person, we may represent this preference as (x) I_i (y). If all the individuals in a given society prefers (x) to (y), then the society prefers (x) to (y): (x) P_s (y). This indicates that there is a consensus over the issue. It is also possible that while some in this society prefer (x) to (y), others may be indifferent between the alternatives: (x) P_i (y) and (x) I_i (y). In this case, the choice of the society will still be (x) P_s (y). This situation is similar to the previous consensus and creates no problems. The problem arises when some prefers (x) to (y) while others prefer (y) to (x). Since the decision will affect all the members in the society, the question then becomes whose preference will determine the outcome.

It seems that there cannot be a collective choice in cases where some prefers (x) to (y) while others prefers (y) to (x). Of course, it is always possible to reach a consensus through persuasion or coercion. In addition, the preference of a single individual may be imposed on the preferences of others, a method which is usually known as dictatorship. Furthermore, it is also possible to determine the public choice independently of the individual preferences, for example to determine the public choice always as (x) $I(y)$. But this would create further problems, since there is the possibility of some preferences being similar with others.⁵⁸

Thus the public choice cannot be viewed or framed as the sum total of the individual preferences, a view which is defended by Kenneth Arrow and generally referred as Arrows Impossibility Theorem. According to this theorem, a decision making process for the public must have the following six conditions:⁵⁹ (1) It must

⁵⁸ Vural Savaş, *Politik İktisat* (İstanbul: Beta Basım, 2005), 115-116.

⁵⁹ Kenneth J. Arrow, *Social Choice and Individual Values* (London: Yale University Press, 1963), 24-33.

allow a decision whatever the individual preferences; (2) It must put the alternatives in a preference order; (3) It must be sensitive to the individual preferences; (4) It must ignore irrelevant features in making decision between two alternatives; (5) It must be transitive; (6) there cannot be dictatorship.⁶⁰ The irony is that the only possible way to overcome the contradictions of public choice is dictatorship. No one so far has been able to disprove Arrow's impossibility theorem or bring a satisfactory explanation for it. Arrow argued that it is not possible to satisfy these five conditions at the same time in collective decision making situations. In other words, no voting procedure converts the choices of individuals into a consistent public choice as an aggregate.⁶¹ From this, it follows that even though each condition is rational, the fulfillment of the first four conditions simultaneously negates the last one, namely, non-dictatorship. What makes the theorem attractive is that it points to an inherent defect in any democratic process which claims to be rationally decided and aims to promote the welfare of the citizens.

There had been many attempts to face the challenge that Arrow's Impossibility Theorem poses. Buchanan acknowledges that it is not easy to find a satisfactory explanation for Arrow's challenge, he nevertheless claims that Arrow "fails to see that his conditions, properly interpreted...do not apply directly to the choice processes."⁶² Perhaps in reaction to the challenge, Buchanan softened his principle of unanimity in his own theory of public choice and narrowed its scope opening the way to majority rule. This is not however a fully satisfactory solution since he thinks that there is a risk that the majority can design a system by which the minority could be abused in future votes:

⁶⁰ For Amartya Sen's evaluation and critique of Arrow's Impossibility Theory see: *Rationality and Freedom* (Cambridge: Harvard University Press, 2004).

⁶¹ Lars Udehn, *The Limits of Public Choice: A Sociological Critique of the Economic Theory of Politics* (New York: Routledge, 1996).

⁶² Buchanan, "Social Choice, Democracy and Free Markets," 91.

In a very real sense collective choice cannot be considered as being reached by voting until relatively unanimous agreement is achieved. In so far as the attainment of such consensus is impossible, it is preferable that the actual choice processes display possible inconsistency to guaranteed consistency... The unanimity requirement need not imply that consistent choice can never be reached by voting. Relatively complete consensus is present in the social group on many major issues, and the securing of such consensus need not involve the concept of a Rousseau-like general will. As Arrow points out, the unanimity required may be reached at several levels.⁶³

Since unanimous consent is not always possible, in collective choices Buchanan turns away from the principle of unanimity to the principle of fairness. He thinks that decision making in politics is analogous to the game theory except that the rules of political decision making are dictated by the constitution. He believes that in collective decisions, if the game is fair, i.e., if it is in accordance with the just and fair rules, then people must accept the results.

Certain problems, however, create complications for the principle of fairness. Ultimatum game is one of them. In the ultimatum game, \$100 is given to one of the two players, *A* and *B*, to divide among each other with the condition that the other person approves. The player, say *A*, who is given the money, may offer anything between less than \$50 all the way down to \$1 and keep the rest. *B*, as a rational player, should accept even \$1 because \$1 is better than nothing. If *B* however, rejects the offer then neither receives any amount of money. Even though it is rational to accept even \$1, the experiments show that any amount below \$30 tends to be rejected. Most people perceive any offer less than 1/3 of the total amount as unfair.⁶⁴ The ultimatum game shows that self-interested individuals act irrationally by refusing the offer below a certain amount since they believe that it is unfair when compared to other's share. It is not difficult to see the connection

⁶³ Ibid., 99-100.

⁶⁴ Goodwin et al., *Microeconomics in Context*, 37.

between the ultimatum game and collective decisions in politics. Some individuals may refuse decisions made by the politicians or bureaucrats even when they benefit from it, if they think that others get an unfair share. This rejection jeopardizes the rationality of political processes.

There seems to be no problem for the public choice when all relevant individuals think similarly and gather around similar demands and choices. But when they have different preferences, public choice becomes much more difficult and in some cases, as we will see, impossible. Buchanan gives some hints towards the solution of this problem in the following paragraph:

In one sense, we can simply define a person in terms of his set of preferences, his utility function. This function defines or describes a set of possible trade-offs among alternatives for potential choice, whether the latter be those between apples and oranges at the fruit stand or between peace and war for the nation. Once we begin analysis in terms of preference or utility functions, we are led almost immediately to inquire about possible differences among persons. Since there seems to be no self-evident reason why separate persons should exhibit the same preferences, it seems best to commence with the presumption that preferences may differ. Within economic theory, such differences present no problem. Indeed, quite the opposite. If one person places a relatively higher value on apples as compared with oranges than another person, an exchange opportunity is presented.⁶⁵

Buchanan thinks that conflict among individual preferences must be reduced or must be eliminated if possible. According to him, the exchange perspective which was mentioned earlier will bring equality. The rules and the ruled will be exchanging goods rather than the rules acting out good will or due to altruistic motivations. This may partially meet the expectations.

As I have already indicated moving from individual choices to collective ones is to assume that society is the sum of individuals and to consider the

⁶⁵ Buchanan, "Politics without Romance," 49.

individual choices as the choices of the whole community. But the PCT rejects the collectivities such as “the community” “the society” “the group” as decision makers. These units cannot make choices; only the rational individuals can. Buchanan says “the state has no ends other than those of its individual members and is not a separate decision-making unit. State decisions are in the final analysis the collective decisions of individuals.”⁶⁶ In collective decisions, individuals must agree on a single choice and this agreement will have a different cost and benefit calculation than when the individuals decide separately. Collective decisions come into play only after individuals make their private choices. There is an expectation, however, that “separate individuals, motivated by a desire to promote the ‘common good,’ will more or less naturally be led to agree quite quickly.”⁶⁷ What if they differ in their idea of the common good? Or, what if they are solely concerned with maximizing their own utility? Buchanan claims that in both cases reaching an agreement brings extra costs which cannot be easily disregarded.

Let us consider the following example in order to evaluate public choice as consisting of individual preferences. When an individual makes a decision between two alternatives, (*a*) and (*b*), a number of scenarios are possible: The individual may prefer (*a*) to (*b*), (*b*) to (*a*); or he may be indifferent between the both. Similarly all the individuals in a given society may prefer (*a*) to (*b*), (*b*) to (*a*); or they may be indifferent between the both. In these cases, there is a consensus in the society. Another scenario is that some individuals prefer (*a*) to (*b*), while others are indifferent. The result will be similar to the consensus decision. However, what if some individuals prefer (*b*) to (*a*) while others prefer (*a*) to (*b*)? In such a case, what would determine the ultimate choice?

⁶⁶ James M. Buchanan, *Fiscal Theory and Political Economy: Selected Essays* (Chapel Hill: The University of North Carolina Press, 1960), 12.

⁶⁷ Buchanan and Tullock, *The Calculus Of Consent*, 98.

A number of solutions can be suggested to determine the outcome: coercion, minority manipulation, persuasion, or majority rule, etc. If we leave coercion and minority manipulation aside, persuasion may be preferable to majority rule since it will take us back to the unanimous decision, namely consensus. Persuasion, however, is not always possible and in that case majority rule can be applied. Majority rule, even though it may determine the outcome, leaves the desire of some individuals as unfulfilled. In other words, they may be forced to accept an outcome which they do not want. We are still far away from satisfying all individuals with regard to their choices. This also indicates that the level of satisfaction reached through political decisions falls short of the level of satisfaction reached in market exchanges in which each gets what she or he wants.

Another difficulty is concerned with the application of common good that leads to government failure. Common good is generally understood as non-exclusive. Benefits cannot be confined only to the people who pay for them. Just because someone pays for a certain good does not mean that he or she has a right to it exclusively. Since the total amount of good does not diminish by consumption in some cases, to prevent non-payers from consuming is meaningless. Furthermore, it may be more costly or even impossible to do that; how can we prevent people from using the street lights even if they did not pay for them? In these cases, benefit cannot be confined to people who pay for it. This condition, however, leads a major problem which is called free-rider.

Table 7: Free Rider Problem⁶⁸

	Excludable	Non-Excludable
Rival	Car / Shoes	Fishes /Atmosphere/ Parking Spots
Non-Rival	Radio /TV	Streetlights / Clean Air National defense

⁶⁸ R. Glenn Hubbard et al., *Microeconomics* (Sydney: Pearson Australia, 2015), 463.

Because certain goods are non-exclusive and have no apparent rivalry as represented in the fourth cell, they create incentives for free riding from the rational point of view. Streetlights, national defense, clean air are among these goods; it is rational for the individuals to ride freely, to benefit from them without paying anything. Therefore, rational individuals as free riders in a society will not usually engage in collective decisions and actions. In fact, they can maximize their utility through non-participation.⁶⁹ What will happen if everyone chooses to be a free rider?

If all individuals acted as free riders in a society by choosing optimal strategy, then nobody would pay taxes and common goods would not be provided. Interestingly, in real life people who have a chance to be free-riders, still contribute to the common good. It has been suggested that people's need to be integrated in their society may overrate their tendency to free-ride even though rationality tells them not to do so.⁷⁰ So, people may calculate advantages and disadvantages of being a free rider, the value of approval by their society, and then choose not to be free-riders. Still, the problem of free-rider is insightful in showing how collectively irrational outcomes arise out of the individually rational actors.

The PCT has developed a crucial and applicable perspective on political behavior within the context of debates on political exchange and government failure. The theory has challenged the idea of "romantic politics" that individuals act altruistically in the political domain. Recognizing that people are motivated by their self-interest, the PCT makes reliable predictions about political and collective behavior. Just as self-interest motivates people to make economic choices, it also directs them in their political decisions. Individuals as voters, politicians and bureaucrats as rulers aim to maximize the outcome with minimum effort.

⁶⁹ Trevor J. Barnes and Eric Sheppard, "Is There a Place for the Rational Actor? A Geographical Critique of the Rational Choice Paradigm," *Rational Choice Theory: Critical Concepts in the Social Sciences*, ed. Michael Allingham (New York: Routledge, 2006), 180.

⁷⁰ Butler, *Public Choice: A Primer*.

What underlies the public choice, to repeat, are the individual preferences, therefore public choice is meaningful only on the basis of individual preferences. According to the axioms of methodological individualism and rationality, collective decisions are rational preferences that results from the calculations of the individuals to maximize their benefit.⁷¹ Concepts that reflect collectivity are significant only when they are translated into individual decisions and behavior. Accordingly, the state's actions must be understood as cumulative actions of politicians, officers and citizens who behave according to certain rules and regulations. Thus the public choice theory with its two complementary assumptions, the principle of rationality and the principle of methodological individualism allows us to see both the organic constituencies such as state and bureaucracy, and abstract concepts such as collectivity and public good in a different and novel perspective. This perspective will certainly be helpful in our analysis of the concepts that reflect collective concepts such as culture, cultural rights, individual and group identity etc.

Before concluding this section I would like to summarize the main argument of this section. With regard to the public choice which is understood through the lenses of the game theory, I explained some tensions that emerged between individual rationality and social cooperation. I tried to show that these tensions continue to be central to the issues concerning the transfer from individual rationality to social cooperation. The main argument of this section is to show that politics is in its essential aspects analogous to market, and rational choice theory which was developed by the economists can be reasonably applied to the domain of politics. Next, section will make an attempt to extend the analogy, applying the rational choice as a model for the domain of culture and identity.

⁷¹ Jonathan Turner, *The Structure of Sociological Theory* (Belmont, Calif.: Wadsworth Publications, 1991), 354.

3.3. Application

In cultural studies, two opposing models, *monotype identity* and *multiple-identity* were the dominant paradigms of the last century. In order to achieve the status of nation state, governments promoted the model of monotype identity and tried to homogenize their cultures seeing them as an ideal *glue* to keep their citizens together. The homogenized culture not only facilitated ruling of citizens but also blocked socio-political demands of various social groups and classes. Against the model of monotype identity, the postmodern trends developed the concept of multiple-identities (sometimes called “lack of identity”) arguing that identity is never a fixed and stable phenomenon, and that it goes through certain changes and transformations in the political, social and cultural life. Accordingly, the idea that individuals can be defined with a single identity no longer appealed to the taste of these postmodern intellectuals.

Since mid-twentieth century, many intellectuals also felt a need for a new discourse over the production of culture and formation of identity different than traditional approaches. Development of the communication technologies, globalization, and mass media turned the question of culture and identity into rigorously debated topics of our times. However, neither modernism nor post-modernism provided a comprehensive approach and provided a satisfactory solution for the problems of identity; the ongoing battle between these two approaches leaves an open space for a more tangible approach, perhaps a third model, in the light of what we have seen in the previous discussions. This third way is expected to strike a balance between the requirements of rationality and the demands of individual and social liberty. Questions and decisions concerning culture, identity and cultural rights can be explained in this novel way. I will examine whether the PCT can give us insights about the nature of the cultural issues in the following section. To this aim, I will first look into whether an analogy can be made between politics and culture and to what extent it is plausible. The overall aim of this section is to provide a framework for an application of the

PCT to cultural issues and it will also give us a ground on which I will build my criticisms of its application. While making this application, I will mainly focus on two aspects, namely exchange and failure, and introduce the concepts of *cultural exchange* and *cultural failure*. Next, I will end the discussion with the advantages and disadvantages of this application.

3.3.1. Cultural Exchange

Is there any kind of exchange that takes place in the field of culture similar to economic and political exchanges? Do people cooperate to get more benefits and increase their utilities, or are they content with suboptimal results in the cultural field? If there is exchange in the field of culture, does it lead to failure just as it does in markets and political processes? If exists, who is responsible for failure? These questions will lead us to see reasons, motivations and results of cultural behavior from the rational choice perspective. For the majority of authors who are working on cultural theories, associating culture with utilitarian motivations is a kind of betrayal since culture implies non-rational emotions, gratuitous loyalty, unreasonable commitments, and there is no such thing as exchange or utility maximization with regard to cultural behavior.⁷² For a smaller group of authors, there is no doubt that a social exchange occurs, even if this is not in strictly cultural sense; according to them, there always exist exchanges, “more or less rewarding or costly, between two or more people.”⁷³ A recent author, for example, introduced the concept of the exchange model of social behavior which is useful in many respects as was indicated in the following paragraph:

⁷² For some critiques of Exchange Theory see: Anthony Heat, *Rational Choice and Social Exchange: A Critique of Exchange Theory* (Cambridge: Cambridge University Press, 1976); and M. J. Rosenfeld, “A Critique of Exchange Theory in Mate Selection,” *AJS* 110 (2005): 1284–1325.

⁷³ George C. Homans, “Social Behavior as Exchange,” *American Journal of Sociology* 63 (1958): 597–606.

I have to come to think that all three of these jobs [small-group research] would be furthered by our adopting the view that interaction between persons is an exchange of goods, material and non-material. This is one of the oldest theories of social behavior, and one that we still use every day to interpret our own behavior, as when we say “I found so-and-so rewarding;” or “I got a great deal out of him;” or even “Talking with him took a great deal out of me.” But, perhaps just because it is so obvious, this has been much neglected by social scientists.⁷⁴

The quote implies that exchange theory can be explanatory from the perspective of two person relationships and it can be extended to multi-person relationships by means of *rewards* and *costs*. While rewards can be defined as pleasures, satisfactions, and gratifications that the person enjoys, costs are defined as the “factors that operate to inhibit or deter the performance of a sequence of behavior.”⁷⁵ Some experimental evidence support the idea that individuals choose their friends and workmates by taking into consideration what they will get, as rewards, and what they will sacrifice, as costs.⁷⁶ Here I will take the exchange theory a step further and ask whether it is possible to think rationality as a basic motivation for cultural exchange in accordance with the public choice theory.

The previous section has illustrated that the PCT has the potential for extension beyond the typical explanations for human behavior in economic and political fields. The PCT’s simple assumptions make it easier to understand the endless complexity of human behavior in politics. The questions remains, however, whether the same assumptions can be applied to culture in an impartial manner in order to see whether it can explain cultural attitudes, beliefs, decisions and behavior as much as the political ones.

⁷⁴ Ibid.

⁷⁵ John W. Kelley and Harold H. Thibaut, *The Social Psychology of Groups* (New York: John Wiley & Sons, Inc., 1959), 12.

⁷⁶ Ibid., 49.

The underlying premise is that individuals can exchange constituents of their identities and cultures intentionally in a process similar to the exchange in market and politics. I will not be concerned with situations in which coerced identity change take place or where there are no alternatives for the individual to make a choice with regard to matters of culture and identity. The reason for excluding these two areas from discussion is that the principles of rationality (or rational choice) are violated when there is coercion and that the issue of rational choice does not arise when there are no alternatives. If people move to another country to escape war or other necessitating causes in their homelands that threaten their survival, no matter how well they may have integrated into a new culture, this change or exchange cannot be interpreted through the lenses of rational choice theory.⁷⁷

There can be various means and reasons of and explanations for behavioral exchange in relation to rationality such as reciprocity, equity, distributive justice, competition, rivalry and so on.⁷⁸ There is no need to discuss each of them in detail here, since rational individuals exhibit all of them. In many cases, individuals may have one or more of these reasons in accordance with their goal to maximize the utility in a case.

Espagne and Werner are probably the authors who introduced first the concept of “Kulturtransfer” in the sense of cultural exchange in 1985.⁷⁹ Cultural exchange, originally understood referring to the actual products of culture “such as the exchange of capital, laborers, goods, concepts and ideas,” but later was

⁷⁷ Michael Garfield Smith, “Race and Ethnic Relations as Matters of Rational Choice,” *Ethnic and Racial Studies* 8 (1985): 484-499.

⁷⁸ B. F. Meeker, “Decisions and Exchange,” *American Sociological Review* 36 (1971): 487.

⁷⁹ Cited by Thomas DaCosta Kaufmann and Michael North, “Introduction – Artistic and Cultural Exchanges between Europe and Asia, 1400–1900: Rethinking Markets, Workshops and Collections,” www.ashgate.com/pdf/SamplePages/Artistic_and_Cultural_Exchanges_between_Europe_and_Asia_1400_1900_Intro.pdf

extended to “the images of and debates about the other society.”⁸⁰ The initial studies on cultural exchange indicate a process among cultures that provide transformation of societies as a result of individual or social interactions. In other words, there is a reciprocal relationship between cultural change and exchange not only for material goods but also for symbolic elements.⁸¹ Even in the highly advanced societies, economic, social and cultural systems continuously change and transform through the exchange of commerce, communication, travel, literature and art.⁸²

These perspectives, though they were insightful in many respects, nevertheless failed to examine the cultural behavior and behavioral change within the framework of rationality.⁸³ In particular, they ignored two issues: first, the role of rational agents and their capacity to calculate and prefer among various alternatives; second, the reason why such cultural behavioral exchanges take place at all. Without the attention to these issues, I think, any philosophical attempt to explain culture and identity will fail. Thus, the matters of culture and identity need to be examined from the perspective of rationality. Are the RCT and the PCT suitable for this task?

To answer this question we may begin with the market analogy. Let us imagine that the conditions of an ideal market are also valid for culture where cultural actors can make choices freely among the alternatives which are available to them. Immigration is a case in point. When people start to think about immigrating to another country, for example, they expect that certain things will be

⁸⁰ Hartmur Kaelble cited by Gesa Stedman *Cultural Exchange in Seventeenth-Century France and England* (Farnham: Ashgate Publishing Company, 2013), 2.

⁸¹ Stedman, *Cultural Exchange in Seventeenth-Century France and England*, 2.

⁸² Ibid., 22.

⁸³ Michel Espagne and Michael Werner, “Deutsch-französischer Kulturtransfer im 18 und 19 Jahrhundert,” *Francia* 13 (1985): 502-510.

different and that they will have opportunities that they lack in their home culture and they will make changes in their behavior to adapt to the new culture. Once they immigrate, they have to make choices regarding integration, assimilation, living in an isolated community and so on. Of course, they can preserve their own culture resisting integration; but they can also adopt new cultural behavior or even assimilate willingly into a new culture to which they have been exposed; or they can integrate into their new society through various ways such as adjusting, negotiation, bargaining, etc.

One can still ask an empirical question whether such an ideal market is possible *in reality* for culture and identity. One may question the significance or value of such imaginary scenarios and ask an empirical justification with the support of surveys, field works, case studies etc. This, however, is beyond the scope of this dissertation. I rather discuss and evaluate the issue from a theoretical point of view. So, I simply assume for the sake of application, an ideal market in which individuals, groups, organizations and even states participate in exchange relationship in matters of culture and identity.

According to a commonly accepted concept of culture, culture is produced by individuals who live in communities. If something is produced, and if we are going to see it as a production, then there must be a market-like system, a system of exchange in which individuals can make choices concerning their culture and identity in accordance with rational expectations. As Adam Smith had argued about 250 years ago, every individual in the market is “perfectly free to pursue his own interest his own way,” as long as they follow the laws of justice.⁸⁴ Michael Banton advances Smith’s idea by claiming that there is always a range of choices for the individuals since their childhood:

A child will be subject to great pressure to identify himself or herself as male or female on the basis of physical characteristics,

⁸⁴ Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 208.

to identify as a member of the same nation and perhaps the same class and race as others in the family, though there may be some variability in the number of class and race categories from which a choice can be made. As he or she grows up, that child will have some freedom to decide to what extent he or she is willing to conform to others' expectations of each of the categories to which he or she is assigned. There will be a great range of alternatives when it comes to decisions about engaging in collective action, and with which other persons to combine.⁸⁵

As the quotation above indicates, individuals may choose to conform to the expectations of others as long as they are willing to do so. The length and the strength of the conformity may depend on the benefits to be obtained from it. Exchanging, thus, involves not only material goods but also gifts, power, social prestige, network and feeling of social acceptability. In other words these are among the basic motivations for exchange in culture market.⁸⁶ There is no reason to limit culture market to a local community or to a nation. Exchange in relation to matters of identity and culture both happens in a certain group as well as across different cultural groups in accordance with cost and benefit calculation.

Consider again immigration as an intercultural exchange through which immigrants face a dilemma of remaining as a minority or joining the majority in a new country. It is obvious that people immigrate to new countries to have economic welfare, better education, better health benefits, security, etc. Expectancy of a better life in general constitutes their main motivation to immigrate to a new land. In fact, if the costs and benefits were in balance, immigrants would have preferred to stay in their home-country. They would not take the efforts to undergo financial, psychological and physical hardship, and in some cases risk their lives to go to a new country with which they have very little in common. Although, in the

⁸⁵ Michael Banton, *Racial Theories* (Cambridge: Cambridge University Press, 1998), 207.

⁸⁶ Ankica Kotic, "Motivation for Civic Participation of Immigrants: The Role of Personal Resources, Social Identities, and Personal Traits," *POLITIS* 11 (2007).

absence of war, staying home is obviously more secure and comfortable than immigrating to a new place, some people still select to cooperate or compete in a new and challenging environment. They can motivate themselves to learn new languages and adjust themselves to new cultural ways to increase their welfare and socio-economic status.⁸⁷ Therefore, the application assumes that the process of immigration as a culture market in which individuals pursue their benefits on the basis of cost and benefit calculation and utility maximization.

Another assumption of the application is that cultural exchange does not occur only between individuals but between groups and governments as well. Let us consider immigration from a PCT's viewpoint; it has been documented extensively that immigration brings benefits not only to individuals themselves but to governments and their leaders too. Many researches indicate that the policy of opening borders for immigrants ensure the efficiency in society and increase utility for all.⁸⁸ One major gain for the host country is the surplus in the economy.⁸⁹ This gives a reason to explain why contemporary democracies encourage identity pluralism, multiculturalism and cultural diversity to expand their culture market and to improve their economic welfare. Individual difference is no longer stigmatized; it is rather encouraged as an enviable quality in popular culture, media and Internet. Why?

One reason is that this automatically accelerates the production mechanisms in culture market by boosting new styles of eating, drinking or dressing in the society. This creates new means of production and consumption supplying new

⁸⁷ Russell Hardin, *One for All: The Logic of Group Conflict* (New Jersey, Princeton University Press, 1995), 70.

⁸⁸ Christopher Heath Wellman, "Immigration," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, URL = www.plato.stanford.edu/archives/sum2015/entries/immigration

⁸⁹ Christian Dustmann and Tommaso Frattini, "Can a Framework for the Economic Cost-Benefit Analysis of Various Immigration Policies be Developed to Inform Decision Making and, if so, What Data are Required?" http://www.ucl.ac.uk/~uctpb21/reports/Cost&Benefits_veryfinal.pdf

jobs and bringing dynamism in social interaction. Therefore, the fact that increasing connection and interaction between cultural actors helps to produce, reproduce, and transfer cultural products continuously to increase welfare for all. In that sense, cultural production and exchange function as a kind of collective good to boost utilities in the market.⁹⁰ Here, I would like to dwell on what collective good means for culture and identity.

In fact, cultures and identities are continuously formed and reformed by individuals who voluntarily commit themselves to specific goals with the aim of providing collective good. The constructed culture and identities are strengthened by existing rules and norms; when needed, new norms are established by the relevant actors in order to maximize collective cultural goods. Individuals join groups in order to create and share cultural goods, and any failure to provide or refuse to share such goods risks alienation or dismissal from the group.⁹¹ They may voluntarily leave their group and participate in another one to increase their benefit. We have already discussed that certain common goods are to be distributed to the members of society since nobody can be excluded from benefiting common goods. These goods are open to all those want to benefit and cannot be held back from the individuals who do not contribute to their supply. Can we say the same thing for the culture market?

At this stage, the application faces a problem; namely, the problem of incalculability. Since cultural common goods do not necessarily mean material and monetary benefits, it would be harder to determine who gets what. For example, written or unwritten traditions, arts, experiences, styles of expressions are kinds of cultural productions that can be defined as common goods in the culture market. But it is not easy to determine whether individuals can benefit from cultural goods

⁹⁰ Michael Hechter, *Containing Nationalism* (Oxford: Oxford University Press, 2000), 123.

⁹¹ Michael Hechter, *Principles of Group Solidarity* (Berkeley: University of California Press, 1987), 10.

fairly. This is one of the points that disturb the analogy between culture and market.

In addition, the application may suggest that feeling safe, being approved and enjoying friendship can be considered as psychological benefits that people can exchange in culture market. The idea is that cultural performances and creativity help to improve psychological and emotional well-being by virtue of their entertainment aspects as well as moral functions. During cultural performances, audiences face the behavior and emotions of others from different perspectives by means of examples and counter-examples in the play. They try to solve common moral dilemmas by putting themselves in the shoes of the tragic hero and get a clue or guidance for similar situations. Thus they are expected to be purified through the healing power of plays.⁹² This shows that the positive impact of culture does not limit itself to individuals and its scope, but covers all society. Therefore, art and other cultural performances can be used to improve the well-being of all citizens and turn them into civic persons who are expected to share similar values and tastes. Culture in this sense would function as “a link between such public utility and the call of the artist” to reach a civilized and homogenous society.⁹³

While individuals enjoy cultural activities, artists appreciate getting credit, and governments are pleased with a healthy and sound society. Of course, it is not too difficult to see that this exchange will invite government intervention in culture market. As it happens, if individuals wish to maximize their psychological benefits and economic well-being from enjoying cultural performances, then they welcome more governmental support which will be effective for production and preservation of the cultural goods through various means and institutions such as building

⁹² Eleonora Belfiore and Oliver Bennett, “Rethinking the Social Impacts of the Arts,” *International Journal of Cultural Policy* 13 (2007): 135-151.

⁹³ Ibid.

cultural centers and establishing governmental institutes for culture.⁹⁴ I will focus on the negative effects of this intervention in the following section.

That individuals exchange cultural goods in culture market may be challenged. Here, I would like to point out some differences between economics and culture in terms of risks and benefits, leaving the main criticism to the next section. While risks can be projected easily in economics or in a fixed environment because of limited resources, it is not that easy to make a similar projection in the area of culture because the alternatives for strategic choices are much diverse and quite prevalent.⁹⁵ Due to the complex nature of culture, identity issues and the high number of alternatives, the task of calculation, decision and strategic action proves to be much harder. The application of the PCT to culture market may help us overcome this difficulty only through the construction of a supposed *ideal market* for exchanges. In other words, since each individual in this ideal market is assumed to have perfect information in terms of all alternatives and other persons, the analogy can make sense.⁹⁶ Otherwise, it is obvious that the analogy does not work in real life situations.

To explain how exactly cultural exchange occurs in reality is not an easy job and goes beyond the limits of this study. Furthermore, I am also not concerned with the empirical aspects of cultural exchange or with a specific case study. My point is rather to investigate whether exchange in symbolic cultural goods occurs just as it does in more material forms in a given society through the voluntary interactions of the individuals who make rational calculations to maximize their benefits.

⁹⁴ Charles Taylor, "Irreducibly Social Goods," *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1995), 137.

⁹⁵ Banton, *Racial Theories*, 207.

⁹⁶ Gauthier, *Morals by Agreement*, 61.

Overall, in this section, I have argued that the PCT can contribute to the debate over the problems of identity and culture through its analysis of the distinct levels of behavior between rational actors. Rather than focusing on the content of cultural goods as the subject of exchange, the PCT provides a critical model through an instrumental and structural approach to examine the dynamic features of the choice process and the subtle motivations of the actors. It is obvious that there can be more than one motivation underlying a choice and it is not always easy to determine which ones are at work. The PCT, however, by placing individual benefit at the center makes it easier to explain and predict the cultural behavior within certain limits. The ideal model of culture market may perhaps simplify and gloss over the whole spectrum of motivations; these may be the vices perhaps not unique to choice theories but necessary evils for any scientific attempt to explain a complex and complicated phenomenon. Thus, the application suggests that an atomistic and self-interested individual can be assumed to behave in similar ways in culture as in economics and politics. In addition, it can provide explanations for why behavior change and how exchange takes in time in culture markets. I have already made some remarks concerning the analogy between culture and market. The final section (3.4) mentions further criticism against to PCT and its application to cultural matters.

3.3.2. Failures of Cultural Actors

Application of the PCT's second assumption of *government failure* to the cultural field allows us to coin a new term which I call *culture failure*, to explain some behavior of cultural actors. Keeping this term in mind, I will focus on behavior and interactions of individuals, leaders, groups, communities, governments under the following titles: [1] cultural conflicts, [2] instrumentalisation of culture through multiculturalism, [3] government intervention and free-riding.

3.3.2.1. Cultural Conflicts

Culture as an anthropological concept is defined as shared meaning, values, symbols and institutions.⁹⁷ The key term *sharing* in this definition seems to imply an agreement and cooperation among individuals and societies. However, culture is also associated with certain themes that relate to conflict and contention.⁹⁸ Living in the same culture does not necessarily lead to agreement and cooperation on each and every issue; rather, living in a group is in itself a source of conflict because of the *scarce resources*. Cultural actors compete with each other especially when they believe that rewards are unjustly shared among the competitors. This is explained succinctly by the following quote:

So long as persons value freedom, there is an inevitable conflict between their latitude, and demands upon them for conformity and coordination. Too, some members are more competent, more powerful and more prestigious than others; and, since the interests of those on top are opposed to those on the bottom, positional conflict also is unavoidable.⁹⁹

The feeling of inequality creates conflict of interests leading to culture failure. The conflict of interest in the behavior of individuals and groups can be explained through the following two assumptions based on the PCT:

- [i] If rational individuals construct their culture and identity to get benefits through exchanges, then the cultural conflicts can be explained by their strategic decisions based on rational calculation.

⁹⁷ Marc H. Ross, "Culture and Identity in Comparative Political Analysis" *Comparative Politics*, ed. Mark I. Lichbach and Alan S. Zuckerman (Cambridge: Cambridge University Press, 1999), 42-80.

⁹⁸ David D. Laitin and Aaron Wildavsky "Political Culture and Political Preferences," *The American Political Science Review* 82 (1988): 589-97.

⁹⁹ Theodore M. Mills, *The Sociology of Small Groups* (New Jersey: Prentice Hall, 1967), 14.

- [ii] If an existing conflict seems not rational from point of individuals, then the leaders of groups can play a role in the emergence of conflicts to maximize their own utility.

The first assumption implies two things: first, the conflict can be a choice of rational individuals; and second, individuals expect benefits as a result of their choice of conflict. In this respect, conflict is not necessarily a negative event to be dispensed with, but is a source of increasing individual utility such as development, creativity and career. Let us consider a controversial cultural norm that creates conflict among individuals in a society. This cultural norm will lead to ongoing debates, anger, discussion and frustration for a long period of time. Even in these undesirable situations, people can calculate and choose freely to involve in conflict by valuing the process and its consequences. They may consider the conflict as unavoidable and take advantage of it by gaining conflict solution skills that would equip them better for future conflicts.

Truly, this is not an easily acceptable assessment for cultural conflicts. Contrary to this assessment, some essentialist theories interpret cultural conflicts as deviation from the established and shared norms. These theories assume a set of fixed number of essential characteristics for a culture. This sort of analysis perceives diverse elements in a culture as a risk and considers them substandard. It claims that a cultural identity is something uniquely and exclusively shared by the members of that culture. From this point of view, identity is developed through an opposite and interactive relationship between the “self” and the “other.” This means that we build our identity by excluding the characteristics that do not belong to us.

According to a fairly common account, people live together as groups and communities because of their natural tendency and because of their desire to share common goods among themselves. As it has been pointed out by Robert Grafstein “ethnic, racial and religious classifications can be used to provide material benefits

to those who are included and materially injure those who are excluded.”¹⁰⁰ This essentialist perspective, however, cannot go further than that, and offers some non-rational reasons for explanation of conflicts such as similarities and differences. It misses the role of individual preferences in motivating cultural conflicts. Respectively, it presumes that individuals are just passive creatures behaving in accordance with their given identity and culture by cooperating with persons who have similar characteristics and defecting those who have a different culture.¹⁰¹ After separating people according to their similarities and differences, the essentialist perspective adds fear, bias and prejudices to enhance group solidarity. And then the people are convinced that conflicts are based on such non-rational reasons. It is obvious that there are two explicit disadvantages of this perspective: first, it is not able to explain changes in a culture; and second, it fails to predict accurately cultural behavior over time.

Does the application of the PCT may offer a new approach to understand how and in what sense cultural groups cooperate, get into conflicts and resolve their conflicts? In other words, do people prefer cooperation both in material goods and in abstract or symbolic gains? Our application of the PCT posits that people as rational and goal-oriented individuals can engage in and even promote conflicts to maximize their utility through establishing new cultural processes, rules and norms. The norms are seen as facilitating factors of social stability. However, some norms are also sources of conflicts. As noted by Cristina Bicchieri, “norms are social constructs, like tables and chairs, but much less permanent and independent of our thinking about them.”¹⁰² She claims that if a change happens in people’s empirical

¹⁰⁰ Robert Grafstein, *Choice-Free Rationality: A Positive Theory of Political Behavior* (Michigan: The University of Michigan Press, 1999), 48.

¹⁰¹ Michael Hechter, “Ethnicity and Rational Choice Theory,” *Ethnicity*, ed. John Hutchinson and Anthony D. Smith (Oxford: Oxford University Press, 1996), 90-98.

¹⁰² Cristina Bicchieri, “Norms, Conventions, and the Power of Expectations,” *Philosophy of Social Science: A New Introduction*, ed. N. Cartwright & E. Montuschi, (Oxford: Oxford University Press, 2014), 208-229.

and normative expectations, then this change constitutes a motivation to remove at least dysfunctional cultural norms. Apparently, this is not a short and easy process. Discussions, deliberations and conflicts are among the effective means to enact change, to modify attitudes and to clarify what the people intends to do. They help to create new empirical and normative expectations that are central to decide whether any cultural norm should be kept or abandoned.¹⁰³

This shows that the conflict processes on cultural norms can be analyzed as choices of rational individuals. This idea opens a venue towards understanding cultural domain as rational, contrary to traditional theories of culture. Traditional theories tend to label acts of conflict as irrational, even pathological by considering conflicts as detrimental for social stability and for the established norms and beliefs. Therefore, the application of PCT to culture helps us see conflicts as part of the rational process in which individuals are concerned with maximizing their own interest and conflict forcing the sides to seek cooperation and compromise over new cultural norms. In this positive sense, cultural conflicts are considered as contributors for criticism and alteration of established cultural identities. While conflicts, according to essentialist theories of culture, are mostly understood in terms of tension, war and hostility, the PCT interprets them as social opportunities to reach a compromise and agreement. Then the PCT seems to work for the conflicts in one culture. Does the application make sense for cross-cultural conflicts as well?

The issue of cross-cultural conflicts can be particularly difficult to interpret from the viewpoint of the PCT since these kinds of conflicts include not only rational choice but also miscommunication and cognitive boundaries. In order to find out where the application fails, first, we need to see whether the model can be applied to the cross-cultural issues such as immigration; next, we need to evaluate the merits of this application in an objective way.

¹⁰³ Cristina Bicchieri and Hugo Mercier, "Norms and Beliefs: How Change Occurs," *The Jerusalem Philosophical Quarterly* 63 (2014): 60–82.

In the case of immigration, the identity of immigrants becomes an issue of conflict and confrontation in the host country. This conflict is usually accepted as inevitable and irreconcilable, since it is believed that as long as the different characteristics are retained they would stimulate further conflicts. However, those who are involved in immigration-related conflicts may calculate their present cost and benefits by comparing their current circumstances with future opportunities. For example, while residents welcome immigrants as cheap labor, they hold exclusively the high level administrative positions for themselves. Since the citizens do not want to lose their privileges, they prevent minorities from governmental positions. They take advantage of immigrants to obtain more benefits and fiscal surplus but at the same time they think the immigrants already receive more benefits than they deserve. Furthermore, while they calculate the value of high skilled immigrants with respect to whether they are single or married, male or female, young or old, they enjoy social and cultural contributions of immigrants from cuisine to arts. These calculations show that the residents face two options: either they accept immigrants because of advantages or refuse them depriving themselves from cheap skilled labor and other benefits that the immigrants can bring.

Similar to the residents, the immigrants face two options and make their choice on the basis of cost-benefit calculation. Either they stay in the host country to get more benefits by accepting the status of minority or return to their country and live as members of the majority with lower life standards. Therefore both sides, residents and immigrants, may decide which option is more rational for them as shown in the following matrix:

Players : Resident and Immigrant

Strategy 1: Using Public Service

Strategy 2: Not-using Public Services

Table 8: Immigration as Zero-Sum Game

Immigrant	Resident		
		Using Public Services	Not-using Public Services
	Using Public Services	2,-2	5,-5
	Not-using Public Services	-7,7	0,0

I construct the matrix as in the form of a zero-sum game, that is, the total amount of the two players is equal to zero.¹⁰⁴ When immigrants get 2, residents will get -2; or when immigrants get 7, residents will get -7. Residents consider the gain of immigrants as their own loss. The matrix shows that if two sides do not use public services, they will get 0; if immigrants do not use public service, they will be worse, -7, and the residents will get 7. If immigrants have a chance to get higher level jobs, for example, residents would consider them as taking opportunities away from them. If immigrants are unable to contribute to the host country, then residents see immigrants as free-riders. So immigrants calculate the advantages and disadvantages of living in a new state which may be sufficiently generous in terms of public services, job opportunities, legal security and freedom of speech, etc. As long as they work in the host country, they will expect to get shares from national resources which create opportunities for them to pursue their self-interest.

Therefore, the first assumption [i] helps us to see suggests that conflicts can appear as a process in which culture and identity are negotiated and modified by rational individuals who want to maximize their benefits. If the public goods are

¹⁰⁴ The payoffs are given in the matrix in accordance with zero-sum game preferences.

sufficiently enough for everyone and if both sides know and trust each other, then the conflict will decrease and eventually may cease to exist. If the market becomes imbalanced and lead to *culture failure*, then the cultural actors would try new ways of distribution and sharing until they feel safe in terms of utilities.

The second assumption [ii] expresses that even if individuals consider conflicts not for their benefit, leaders or rulers drag followers to conflicts to retain their power. Leaders, as rational actors, take the issue of identity and culture as given in conformity with their interests and put stress on cultural differences.¹⁰⁵ In certain cases, they encourage people to overcome stereotypes and obtain new identities. George A. Akerlof and Rachael E. Kranton exemplify this tricky situation in the following paragraph:

Some of the most dramatic examples of regime change involve changes in norms regarding who is an insider and who is an outsider. Fascist and populist leaders foster racial and ethnic divisions. Symbolic acts and transformed identities spur revolutions. Mohandas Gandhi's Salt March sparked the Indian independence movement and a new national identity. The French Revolution changed subjects into *citizens*. The Russian Revolution turned them into *comrades*.¹⁰⁶

Why do leaders sometimes create conflicts and sometimes establish dialogue between different constituencies of the society? Leaders, in order to maintain their power over the population “adopt a group oriented strategy of divide and conquer.”¹⁰⁷ Even if this is the case, how is it possible to provoke and maintain

¹⁰⁵ James D. Fearon and David D. Laitin, “Ethnicity, Insurgency, and Civil War” *American Political Science Review* 97 (2003): 75-90.

¹⁰⁶ Akerlof and Kranton, *Identity Economics*, 125.

¹⁰⁷ Grafstein, *Choice-Free Rationality*, 48.

conflicts without the support of the population? They need other actors who voluntarily get involved in conflicts.¹⁰⁸

While game theory assumes that all players know all possible outcomes, the individuals now and then make irrational decisions due to misinformation, biases and prejudices.¹⁰⁹ Incomplete information can be seen as a major factor of their manipulation for conflicts. The people who lack information about other's intentions misjudge the reasons for their behavior and this increases the possibility of conflict and hostility towards them.¹¹⁰ Leaders take advantage of this situation by breaking out new conflicts between groups to increase their political power. Their strategy is that the more identity and culture issues become contentious, the more followers will believe in the necessity of initiating a conflict. They act "as if they believe that emotional appeals are more powerful than rational ones, especially in periods of war mobilization, when rational self-interest calculations are likely to weight most strongly against contributing to a national goal. The obvious conclusion is that leaders make emotional appeals precisely to preempt or override self-interest calculations that might be unfavorable to national goals."¹¹¹ In fact, it is easy for the leaders to pursue this strategy, because people generally believe that their leaders do not initiate these conflicts for self-serving purposes and therefore, they are not responsible for them.¹¹² Furthermore, when the conflict

¹⁰⁸ Rui J. P. de Figueiredo, and Barry R. Weingast, "The Rationality of Fear: Political Opportunism and Ethnic Conflict" *Institute for War and Peace Studies* (1997).

¹⁰⁹ Michelle R. Garfinkel and Stergios Skaperdas, "Introduction," *The Oxford Handbook of the Economics of Peace and Conflict*, ed. M. R. Garfinkel and S. Skaperdas (Oxford: Oxford University Press, 2012), 9.

¹¹⁰ Stuart J. Kaufman, "Symbolic Politics or Rational Choice? Testing Theories of Extreme Ethnic Violence," *International Security* 30 (2006): 45-86.

¹¹¹ Paul C. Stern, "Why do People Sacrifice for their Nations?" *Perspectives on Nationalism and War*, ed. John L. Comaroff and Paul C. Stern (Malaysia: Gordon and Breach Science Publishers, 2000), 107.

¹¹² Fearon and Latin, "Review: Violence and the Social Construction of Ethnic Identity," 854.

breaks out, individuals may promote their interests by involving in it.¹¹³ These strategies show that conflict sometimes manifest itself as a tactic of leaders or followers. So, the idea that conflicts result from irrational behavior of community seems misleading according to the application. Rather, leaders usually assess the situation, evaluate available options and then rationally decide for an action that will produce success for their own causes.

What follows is that cultural domain may be one of the most fertile fields for manipulation. Leaders may show their support to cultural actors and activities by financing them through governmental resources, their real intention, however, is probably to use the cultural domain, run by either private or public, to augment their own interests. If they benefit peace, they may introduce peaceful aspects of culture and identity; if they benefit conflict, they emphasize the aspects of cultures that are divisive, contentious and warlike. If they benefit conflicts, then they would stress contentious issues. Therefore, sorting out different identities, confronting different parties, supporting the majority strategically may help leaders to increase their power. This suggestion is similar to the assumption that “the democratic political leaders are just as self-interested as the stationary bandit and will use any expedient to obtain majority support.”¹¹⁴ If that is the case, again, it follows that there is an exchange relation between leaders and their supporters, and that as long as individuals obey their leaders they are *culturally* in safe. The strategies of the leaders and their followers with regard to incitement and involvement in conflicts can be shown in the following matrix:

¹¹³ Ibid.

¹¹⁴ Mancur Olson, “Dictatorship, Democracy, and Development,” *The American Political Science Review* 87 (1993): 570.

Players : Leader and Follower

Strategy 1: Conflict

Strategy 2: Peace

Table 9: Conflict vs Peace

Follower	Leader		
		Supports	Rejects
	Supports	6,6	-2,1
	Rejects	-8,1	2,2

The application shows that the rational strategy for people is to follow their leader. If the leader wants to be in a conflict with a certain cultural group, then the rational choice for people is to involve in it by obeying and supporting their leader's decision. If the rational option for leaders is to promote peaceful relations with different entities concerning the identity issues, then, as convinced by their leaders, people will choose to be in peaceful relations with these entities.

At this stage, the application seems to be helpful in terms of drawing attention to the leaders as rational actors but it does not clarify how a criterion can be formulated to separate leaders from followers. Furthermore, the exchange between leaders and followers seem to imply that there is a distinction between leaders and ordinary individuals; as if while ordinary individuals possess bounded rationality, the leaders are fully or strategically rational.¹¹⁵ Due to the fact that there is no such distinction in the rational choice models, Rupen Cetinyan claims that the leaders are not different because of their supposedly superior cognitive capacities compared to those of ordinary people. Rather, they live, as a small number of actors, in spheres that involve novel situations and they have exceptionally great incentives to be well-informed and to behave strategically.¹¹⁶

¹¹⁵ Rupen Cetinyan, "Strategy of Ethnic Conflict: Rational Choice in Ethnic Organization and Politics" (PhD diss., University of California, Los Angeles, 1997), 77.

¹¹⁶ Ibid., 78.

However, previous explanations sound as if followers support their leaders, in whatever he or she requires, passively and unquestionably. To avoid this risk, the more moderate explanation of exchange between leaders and followers would be like: since individuals prioritize rationally their own interests, they will not easily go after the interests of the leaders, unless they are dissatisfied with the present situation that is disadvantageous for them. First, they should be unhappy about the present situation that is not optimal for them. Otherwise, as long as the costs of the conflict appear very high, they will not risk all their gains. If they believe that cooperation is better than conflict in terms of getting more benefits, then they will adopt new norms and rules concerning their identity and culture.

3.3.2.2. Instrumentalization of Culture through Multiculturalism

Similar to the cultural conflicts, the policy of multiculturalism and diversity can be analyzed by utility maximization of cultural actors. The application to cultural conflicts reveals two different policies which deserve to be labeled as failure of cultural actors. One policy is based on the monotype or homogeneous cultural model and the other is on the multiple or multicultural model. The first model assumes that there is a single dominant culture in society that consolidates its existence with its members and their similarities. This assumption is accepted as the justification of the state which is based on social consensus. In this model, identity and culture are defined with reference to the nation which has geographical boundaries. Until recent years, states have developed the first monotype or homogenous culture model along with the areas of activity such as creation of the welfare state, equal distribution of wealth and social and political security.

The idea of welfare state predicts that if the prosperity spreads all over the society, then any difference of opinions regarding identities will decrease. Furthermore, it has expanded the meaning of citizenship to include common social rights, trying to create a sense of identity and culture accordingly. The goal has been to ensure the integration of individuals into a national and unique identity to

make it easier to rule them. This is assumed as a viable strategy for the interests of political actors and for the interests of the majority as well. Gerd Baumann describes this strategy as super-ethnic:

What is imagined is a community that is ethnic in its history, post-ethnic in its civil rights and material rights standards, and super-ethnic to justify its existence for and as a nation. This super-ethnic character, however, takes on mystical and almost religious traits. Nationalism, the ideology of one or a few privileged ethnic categories within a state, still disadvantages other ethnic categories in the same state.¹¹⁷

As the quote indicates, modern nations have rejected multiple identities and cultural divisions to impose a dominant concept of ethnicity on all parts of the society. Pursuing this idea they tried to bring all individuals under a common identity and created to form a common history and a common future. According to Baumann, this strategy failed because while the states imposed a single cultural identity or legitimized a single cultural group, usually legitimatizing the dominant majority, they excluded other groups and identities. And those who are excluded found marginalization as a way of surviving. Increasing diversity and violence makes it difficult to believe that the states that support monotype identity can meet the requests of minorities' cultural rights. This failed strategy burdens the nations to find new strategies to keep people together, particularly those who have different identities or those whose identities are sensitive to the changing times.

Recent times witness the development of multiple and multicultural models as the second model for nations. Over the last decades, states that consist of various ethnic, social and cultural groups are encouraged to redesign their cultural policies to embrace and integrate these diverse groups. Moreover, they began to give financial assistance to the underprivileged groups in order to protect their identity and cultural rights directly or through international organizations. Why do certain

¹¹⁷ Gerd Baumann, *The Multicultural Riddle: Rethinking National, Ethnic, and Religious Identities* (New York: Routledge, 1999), 39.

states allocate some of their financial resources and provide certain privileges to minorities and groups that fall outside the majority?

The application of the PCT again can predict the rationale behind these policies and shed light to the utility maximization of policy makers who follow this strategy. As rational actors, policy makers provide financial assistance to certain cultural and ethnic groups in order to keep them in a way that they were before, i.e., pro-social, law abiding and peaceful. While they maintain to provide on-going support for the majority to expand their territory, they strategically support other cultural groups to exclude them from majority and weaken their positions in the society. This can be called *a policy of divide and rule* with significant repercussions in the cultural domain. Through financial support, the policy makers can decide which cultural element is worth promoting. Due to financial incentives, therefore, the minority groups would politically be controlled and they would be permitted to live in the ghetto with their approved culture and identity. This, of course, redesigns cultural features of the minorities and transforms them into easily manageable groups, and it does it in a disguised way without much notice from the rest of the society.

The individuals who have different identities from the majority also have some tactics to gain benefits in the exchange with the states. For example, a person who is a member of minority knows that if she wants to live a wealthy and easy life, she must be a part of majority. Although in some cases she may chose to remain a member of the minority group whatever it takes, she may also prefer to be loyal both to the minority and the majority, depending on her political and financial interests. By adopting two cultural identities, she can both benefit career opportunities, power and security as a part of majority and also she can continue to identify herself with the minority to keep relations with her inner circle. It seems that if there is a balance this exchange relation is continual.

One consequence of this strategy is an exchange process between the states and individuals, leading to failures in the cultural domain. Since governments must

get the support of voters in elections in order to survive and enlarge, they are forced to compromise about welcoming the votes of different identity groups and cultures, even if unwillingly. Thus the electoral process becomes a market in which everyone, regardless of their culture, ancestry and ethnicity, has an opportunity to live as long as he/she vote for the continuation of the present political structures and contribution to the general budget. Otherwise, it would be challenging to keep every different identity together and to ensure their continuation to vote for the system. Baumann's statement supports this fact "the world order of nation-states would have collapsed long ago, had not state elites bought off the poor and the minorities."¹¹⁸

Intriguingly, however, political actors give supports and some privileges to different identities that are outside the majority not in bulk but in pieces. The application of the PCT gives a reason for this behavior that states need to make individuals dependent and integrated so that governments and individuals interact in the long run. This can be called a strategy of multiculturalism or remote controlling. This strategy has been developed in order to increase the power of inclusiveness of the states, implying the official recognition and acceptance of different identities and cultures and their rights. However, one of the disadvantages of this strategy is that it accepts only those identities which have been approved by the governments. So this also brings a limitation on present identities and cultures. Second, the strategy regards culture and identity as stable and permanent entities. These two suppositions separate minorities from majority permanently in terms of their alleged characteristics and capabilities.

In Europe, for example, children of minorities are forced to enroll to vocational-technical schools and acquire a job in service sector. Or, in Canada, Quebec province has the right to determine the official language and to establish

¹¹⁸ Ibid., 32.

public institutions functioning in this own language, i.e. French.¹¹⁹ However, the status of self-management is extended to the prohibition that Canadian citizens who are not of Anglo-Saxon origin living in the province of Quebec could not send their children to schools teaching in English. This strategy ensures the cultural right of future generations to be educated in their own language and protects the lifestyle of Quebec people. However, it also puts some restrictions by excluding them from the majority and insulates them in a small area in Canada where people speak only French.¹²⁰ Moreover, this strategy by imposing a certain lifestyle for future generations interferes with their choices and hinders the natural and voluntary changes. In this way, while the people of Quebec forgo the advantages of majority to have some cultural, social and economic rights on the grounds of keeping their own identity, in return, they risk becoming a restrictive and immobilized community which is ready for manipulation and subversion.

These above mentioned examples remind us the Hobbesian idea that people pay a price for freedom and protection. Being obliged to accept a monarch to protect the life and property is similar to case that the people of Quebec give up certain advantages and some of their freedom for the sake of preserving their own culture. In other words, the policy of diversity and pluralism is seen as an area of economic investment and a source of income in the culture markets. In that sense, multiculturalism is promoted by nations for politic and economic reasons. This supports our previous assumption that cultures and identities are subject to rational evaluation, cost and benefit calculation in the culture market, and the actors compete with each other to maximize their benefits and to minimize their costs.

In sum, the application of the PCT implies that culture and identity as produced and reproduced elements of social relations are subject to exchange. This

¹¹⁹ Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2002), 352.

¹²⁰ Charles Taylor, "The Politics of Recognition," *Multiculturalism and the Politics of Recognition*, ed. Amy Gutman (Princeton: Princeton University Press, 1992).

means that cultural behaviors can be debated, discussed, negotiated, bartered, and bargained in accordance with the rules and norms of conflict and cooperation. One of the social benefits of cultural conflict is that it accelerates changes; otherwise change will be very slow in the absence of conflicts. Cultural conflicts highlight sharp differences and bring along immediate efforts to end problems and to find solutions. Thus conflicts may lead to cultural changes and bring about improvements for the relevant constituents. Otherwise cultural changes will take a long-term and will be of limited consequence. Reflecting upon the process of conflict, which includes discussions, debates, conviction and persuasion, from the perspective of the PCT, means to evaluate the impact and scope of instrumental rationality for all cultural actors. Since giving a detailed history of cultural conflicts was not one of the goals of this section, I limited myself to apply the PCT model to culture to find a new way of understanding cultural conflicts in the light of individual rationality, rather than irrationality.

3.3.2.3. Government Intervention and Free-Riding

Government intervention and free-riding are main causes of failures not only in the political and economic domain but also in cultural domain. Through the application of the PCT, I will seek to what extent such failures occur. It is true that government plays a considerable role in producing and providing cultural goods such as national museums, theaters, cinema, art, television channels, radios, schools and universities that are suitable for national goals and values through which language, identity, and attitudes are formulated and produced. The main motivation behind this is that private market cannot produce cultural common goods appropriately and cheaply in a way available to all the levels of society and to all members of the nation. Who knows what is worthy to spend? Or who evaluates what cultural elements need to be protected on behalf of individuals? So the challenge is to find

out legitimate reasons with which governments fund and support some specific aspects of a culture while leaving others.¹²¹

Until now, established cultural policies of governments have been that they spend from the budget in order to produce cultural common good for all members of the society. Gibson gives the following historical examples from UK and Australia:

Famously, Henry Cole, the architect of the South Kensington Museum system (later the V&A), justified public expenditure on the gas lighting of the museum in order to enable evening opening and thus provide a healthy alternative to the gin palaces of nineteenth-century London. The use of cultural programmes to affect national economic or trade goals is not a Thatcher innovation. Before the “rational recreation” ethos which came to dominate museum discourse in the late nineteenth century, the argument for public expenditure on the development of the South Kensington museum and the Schools of Design was economic. Specifically these cultural programmes were to provide an education in good design to “mechanicks” in an attempt to improve the flagging national lace industry, which was losing out to better designed product imported from Italy (Gibson, 1999b) [...] In Australia too, it was the economist H.C. Coombs who was most associated with a range of cultural programmes that aimed to educate the returning soldier and the post-war citizen in order to enable them to contribute better to post-war reconstruction efforts (Gibson, 2001, 2002b) [...] In all of these historical examples cultural programmes and policies have quite specific instrumental aims.¹²²

As the quote makes obvious, culture and identity have long been instrumentalized for social and economic incentives by governments. Besides UK and Australia, other governments have allocated budget for culture market to create new job

¹²¹ Lisanne Gibson “In Defence of Instrumentality,” *Cultural Trends* 17 (2008): 247-257.

¹²² Ibid., 249.

areas for bureaucrats and employees to preserve national identities.¹²³ So culture, in that sense, can be instrumentalized in a similar way to other common goods such as hospitals or roads.¹²⁴

Interestingly enough, the intervention of government to the culture market is not unilateral. Individuals ask for government intervention to enjoy more cultural products for free, since traditional cultural elements are not beneficial especially in terms of economic return. This automatically leads to a situation in which governments will expand their area of activity for the sake of allegedly common cultural goods. The individuals, on the other hand, as long as they benefit common good, continue to be part of the audience until an imbalance in the market occurs. Or they will choose to adapt themselves to a new culture and identity by starting new exchange processes.

It is not a surprise that when culture is seen as common good, the problems of government intervention and of the free rider will readily follow. If there are some activities conducted with the aim of common good by governments for free or subsidized, then some people may prefer to benefit from them without paying tax. But the free-rider problem poses an extra challenge for the application, since there are some counter-examples which imply that the free-rider problem is not applicable at all. For example, if someone visits a public exhibition, even if she does not support art or pay taxes, nothing will reduce the value of the work of art. Furthermore, if there is a concert subsidized by government, and if someone decides to go to the show without tickets then the free-rider most probably will be punished by others people who pay for it.

Contrary to these examples, there are still some cases that clearly show the free-rider problem can be a problem for cultural behavior. Consider, for example, if

¹²³ Tyler Cowen, "The Fate of Culture," www.gmu.edu/centers/publicchoice/faculty%20pages/Tyler/fate-of-culture.PDF.

¹²⁴ Peter Marcuse, "The Production of Regime Culture and Instrumentalized Art in a Globalizing State," *Globalizations* 4 (2007): 15–28.

someone belongs to a minority, does she willingly contribute to the cultural activities of majority? Even she enjoys living in a foreign country by benefit the level of welfare and security, she may object to contribute majority's cultural activities such as national celebrations financed by governments. Some empirical studies indicate that people in more ethnically homogenous communities make larger contributions to public goods, especially for education, than those in more diverse communities.¹²⁵ Therefore heterogeneity can be problematic "because people with low levels of participation have an incentive to be free-riders with high average levels of participation. Less committed members threaten to overcrowd groups that would otherwise have high levels of participation. As before, however, costly behavior can salvage the situation. The costs discourage the less committed members and so indirectly screen out free-riders."¹²⁶ This statement brings us back to the stag-hunt example.¹²⁷

If the majority in a given society continues to believe collectively that stag hunting is better than hare hunting, then a few persons will not change their decision. They will continue to coordinate and cooperate. However, if numbers of free-riders are increasing, then the group will set-up another norm to reduce the number of free-riders. However, there is a risk that increase in the number of free-riders can force other members of the group to go for hare, assuming that cooperation and coordination will not be successful in that society. If the coordination problems increasingly arise in different cases, this will lead to the disintegration of the cultural group. Let us analyze this conclusion in the following matrix:

¹²⁵ Akerlof and Kranton, *Identity Economics*, 124.

¹²⁶ Laurence R. Iannaccone, "Sacrifice and Stigma: Reducing Free-riding in Cults, Communes, and Other Collectives," *Journal of Political Economy* 100 (1992): 271-291.

¹²⁷ For the discussion of stag hunt example see p.89 of this chapter.

Players : 1 and 2

Strategy 1: Contribute

Strategy 2: Cheat

Table 10: Free-Ride in Cultural Domain¹²⁸

Player 2	Player 1		
		Contribute	Cheat
	Contribute	10,10	5,15
	Cheat	15,5	0,0

In two player free-riding problem, if both players cheat, then each will get 0. If they cooperate each will get 10. If one of the players cooperates and other cheats, then cooperator will get 5 and cheater will get 15. In the social group context, as long as the cheater hides herself, she can continue to live without contribution. This is the classical account for free-riding by RCT and PCT. However, when other people notice the cheating, then the cheater has to face being “punished by social exclusion.”¹²⁹

Exclusion from a cultural group might be costly for an individual. This means that interaction with other people can affect one’s decision to be a free-rider or not. In conclusion, cultural actors as rational individuals may choose to be free riders similar to the economic and political domain by contributing culture failure. But this failure is mainly a result of government intervention. As long as governments support and subsidize the cultural goods, they want to ensure unquestioned acceptance of all governmental policies regarding culture and

¹²⁸ The table adapted from Robert Paul Wolff, “Methodological Individualism and Marx: Some Remarks on Jon Elster, Game Theory, and Other Things,” *Canadian Journal of Philosophy* 20 (1990): 476.

¹²⁹ Vangelis Chiotis, “The Morality of Economic Behavior,” *Journal of Global Ethics* 11 (2015): 188-204.

identity.¹³⁰ Moreover, as suggested by the PCT, governments act in similar ways to individuals in terms of pursuing their interests in maximizing their utility: “government involvement in cultural preservation involves costs beyond the immediate tax burden-state support makes the arts more bureaucratic and less dynamic. Government, when it acts as customer on a very large scale, often pushes out beneficial market influences.”¹³¹

Until now, we have gone through the application of the PCT to cultural acts under the three subsections to cover as much relevant issues as possible. It is obvious that culture contains endless complexity which cannot be exhausted by single model. Whether our application succeeds in terms of explaining and predicting certain cultural behavior will be examined in 3.4.

3.4. Criticisms of the Application

So far, in this chapter, I have discussed the PCT and tried to apply it to the cultural domain. Now, I will examine the strengths and weaknesses of the application and make some criticisms to it. My purpose is here to reveal its boundaries and shortcomings of the model. As a theory, the PCT has its shortcomings in proportion to its potential. Thus, the following three criticisms in this chapter will aim to show some of these shortcomings:

- [i] Following cultural norms is not incompatible with utility maximization.
- [ii] Dynamic nature of norms and interactions among rational individuals can be accounted through an evolutionary approach.
- [iii] Sympathy and commitment must be an integral part of rational behavior so that complex behavior can be explained consistently.
- [iv] The PCT does not produce empirically satisfactory findings

¹³⁰ Gibson, “In Defense of Instrumentality,” 248.

¹³¹ Tyler Cowen, *In Praise of Commercial Culture* (Cambridge, MA: Harvard University Press, 2000), 40.

3.4.1. Cultural Norms is Compatible with Utility Maximization

In recent decades, essentialist theories have been the paradigmatic approach in social sciences and humanities concerning social and cultural behavior. These theories have claimed that norms and values in a society are the only motivation for human decisions and behavior. I have argued that cultural behavior can be explained in terms of beliefs, intentions and preferences by the rules of rationality. The section on application aims to demonstrate that cultural actors make preferences to seek opportunities and rewards after assessing and calculating different alternatives.

I do not deny that norms and values guide human behavior. They certainly do and this has been one of the considerable shortcomings of the PCT's application until now. There are plenty of counter-examples that show that people follow purely altruistic norms just as they follow the principles of rational self-interest. For example, people help poor people without any expectation of return; they tip waiters whom they will never see again, they act like good Samaritans. Of course there might be some people who use charity as an instrument for their own interest, since appearing altruistic makes them more prestigious and admirable. Many charities and aid groups get support of popular names to help fundraising for their organizations.¹³² However, there are considerable amount of individuals who are solely motivated by the aim of reducing human suffering in the world without desiring any personal gain in the end. Therefore, the assumption that people rationally seek to maximize only their utility runs into difficulties, and it falls short of explaining some forms of civic participation such as union membership, volunteering, and charitable giving.

Unfortunately the RCT and the PCT have not responded satisfactorily to the question "why people should ever choose to do something that will benefit others more than themselves, and when the expected benefits are lower than the costs?"

¹³²<http://www.dailymail.co.uk/news/article-2720336/How-charity-work-benefits-stars-Links-good-causes-make-celebrities-popular.html>

The reflection on this question suggests that rational choice theorists do not provide a complete picture of the determinants of civic engagement, and that some moral and indeed cultural factors need to be taken into consideration if we want to comprehend the problem more fully.¹³³ The available approaches do not help us to fix the problem, since they see self-interest as a profound motivation for individual behavior.

Moreover, the relationship between cultural behavior and rationality is controversial, and some proponents of the RCT think that it is impossible to explain and make predictions concerning cultural behavior. For them, cultural issues remain outside the boundaries of rationality. Cultural conflicts, in particular, cannot be solved or resolved through rational means and methods. But this seems contradictory because whereas the choice theories are based universal assumptions and the proponents of the RCT search strategies for decision-making and offer solutions for the practical problems in life, their silence over cultural matters is not acceptable. The point I want to make is that either the proponents of the RCT admit that it is limited in its scope, therefore cannot explain and predict human behavior in all walks of life or they should widen their perspective by considering at least certain aspects of cultural life from a rational point of the view. To keep culture outside the scope of rationality is no longer tenable.

What we need, then, is a criticism that would provide a critical thinking about the theories and make them sensitive to norms, values and principles. First, individuals who live in the same environment tend to follow similar cultural norms. These norms constitute a major part of beliefs and values which are imposed by individuals on others. Here I do not prefer to use general terms such as society, community or group; I prefer 'individuals' in accordance with the PCT's methodological assumption. So, while I accept that there are cultural norms which are expected to be followed, I also believe that these rules do not spontaneously

¹³³ http://www.politis-europe.uni-oldenburg.de/download/WP11_POLITIS_Kosic_2007fin.pdf

generate from the so-called collectivities such as society. Individuals, over the course of time, face certain problems, debate and discuss how they could and should behave in dealing with these problems; they exchange opinions, and finally reach an agreement over potential solutions.¹³⁴ The challenge is to find out how to proceed from individual decisions to collective choices in dealing with these problems. Accepting that only individuals are rational, not the groups or societies, is suggested as a solution. Thinking about cultural phenomena on the basis of the groups or societies makes it hard to analyze decision-making processes, and understand responsibilities and failures of cultural actors. The first thing to do is to accept the significance of norms and prepare a ground on which they are followed and keep in mind that they remain alive so long as individuals are committed to them.

Second, thanks to some social norms, for example traffic rules, individuals keep living on the safe side. They know that they should remain on the right lane (or on the left lane) and stop in the red light; that is equilibrium. Or they know that if they chose a wife/husband according to the expectations of their own families, they can receive their support for marriage. Such examples show that following certain cultural norms can promote cooperation among individuals. There is nothing intrinsically rational in driving on the right or left lane. It all depends on how others are doing and it will be best for us to coordinate our behavior and follow the established norm in this respect. It is rational to drive on the right lane and irrational on the left lane if everyone else is doing the same. The rationality of our behavior is connected with the choice of others. Otherwise, we will risk injury or even death.¹³⁵ In that sense, there is no reason to claim that following a cultural norm cannot be included in choice theories. It is obvious that if one chooses to follow a norm, daily life would be much easier. This is not an *ad hoc*

¹³⁴ Buchanan and Tullock, *The Calculus of Consent*, 7.

¹³⁵ Grafstein, *Choice-Free Rationality*, 50.

modification by the way, as claimed by Green and Shapiro; that is, I have not tried to modify everything to make the model compatible with the reality.

Third, there is an argument that since actions are guided by cultural norms and people are forced to follow these norms, their actions cannot be interpreted solely by utilitarian goals. Further the argument suggests that norms or laws are not subject to cost-benefit calculation. People do not calculate every time they act to fit their actions to their calculations; they just act according to their desires or intentions and expectations of others.¹³⁶ If that is the case, then how can we explain the fact that there are people who do not care about what others think of them and their actions? In real life, not everyone is concerned about getting approved. Otherwise, all would follow every norm at all the times without exception. While some people follow cultural norms because they believe that it would be better for them to follow, others may not follow them for different reasons.

Still, in general it is believed that people obey laws because they have expectations about being rewarded or punished for their conformity. So, reward or punishment can be prior motivations for obeying laws rather than social approval. In fact, people do consider short and long term expectations and rewards when they act. There are various reasons and motivations for obeying norms and these reasons for the most part include planning, negotiating, bargaining, strategic thinking, balancing costs and benefits, etc.; in short, rational assessment of available alternatives for which the decision making and choice theories make testable predictions. When they fail in their predictions, it is up to us to investigate the causes of failure, criticize and amend our theories and continue in our study of the phenomena of human behavior.

I have tried to show that, on the whole, choice theories explain and predict human behavior in economics and politics. There is no compelling reason why they cannot be applied to cultural norms and behavior. I have also tried to show that

¹³⁶ Parsons, *Rational Choice and Politics*, 143.

there are certain limits to choice theories in culture. These limits cannot be overcome just by the resources of choice theories. These theories need to be criticized and modified so that they can go beyond the utility maximization to find solutions for the failures that are endemic to the cost-benefit analysis. This is not a total overhaul but moderate criticism.

3.4.2. Norms can be Accounted through Evolutionary Approach

Evolution can play a role in explaining cultural behavior. This approach helps in understanding dynamic process of cultural interactions between individuals. This is also important for understanding the nature of culture and identity, since culture is transmitted across generations and it is subject to selection and evolution.¹³⁷ Let us keep in mind that the RCT is not interested in changes of choices over time; rather it assumes there is a fix set of alternatives. However, when cultural behavior is analyzed more elaborately, the model and its application fail to combine individual and social behavior appropriately. So, we have another point to criticize the application. This criticism can be used to advance both the idea of bounded rationality and the interactions between cultural actors. One motivation for this criticism is social and the other biological:

The biological motivation for this approach is based on the interpretation of the payoffs in terms of fitness (survival and fecundity). All mutations are possible, and if any could invade a given population it would have had the chance to do so. Thus only a collectively stable strategy is expected to be able to maintain itself in the long-run equilibrium as the strategy used by all. Collectively stable strategies are important because they are the only ones which an entire population can maintain in the long run if mutations are introduced one at a time.¹³⁸

¹³⁷ Peter J. Richerson and Robert Boyd, *Not by Genes Alone: How Culture Transformed Human Evolution* (Chicago: Chicago University Press, 2005), 238.

¹³⁸ Robert Axelrod, "The Emergence of Cooperation among Egoists," *Paradoxes of Rationality and Cooperation: Prisoner's Dilemma and Newcomb's Problem*, ed. Richmond Campbell and Lanning Sowden (Vancouver: The University of British Columbia Press, 1985), 327.

Consider stag-hunt example again which was introduced at the beginning of this chapter to analyze at least two people's strategic behavior and their interactions (p.82). The example was useful to understand cooperation between two individuals but not rich enough to explain cultural behavior. The example provides a limited analysis to account for a large number of people and their interactions. Evolutionary perspective implies that the number of other players and their interactions in the game also matter. That is, if the majority in a living space decides to hunt hare rather than stag, this means that people go for risk-free choice and do not want to cooperate. If the majority starts to cooperate for stag-hunt, after several repeated games, hare-hunters will change their behavior accordingly.¹³⁹ Then, all players in the culture market will start to consider strategically the behavior of others before they act. And "if they interact in clusters, then new and very important developments become possible."¹⁴⁰

As Robert Grafstein noted, "whatever crude rational choice models may suggest [...] human beings do not behave as socially denuded atoms. Their identification with a group, many of whose members they may not even know, can have a far-reaching impact on their behavior."¹⁴¹ So, the evolutionary approach through interactions and repeated games can be used to understand how people change their cultural behavior and norms to maximize their utility. This analysis bounds individual rationality with cultural behavior dynamically, so that changes both in individual strategies and in cultural norms can be answered more realistically.¹⁴²

¹³⁹ Vangelis Chiotis, "Morals by Convention: the Rationality of Moral Behavior" (Phd diss, York University, 2012), 56.

¹⁴⁰ Axelrod, "The Emergence of Cooperation among Egoists," 327.

¹⁴¹ Grafstein, *Choice-Free Rationality*, 47.

¹⁴² Vangelis Chiotis, "Morals by Convention," 60.

When people play the game of cultural norms over-generations, they will reach an optimal strategy and equilibrium regarding these norms. Therefore, the evolutionary approach provides us an opportunity to see the dynamic interactions between norms and rational individuals that the choice theories fail to acknowledge.

3.4.3. Sympathy is an Integral Part of Rational Behavior

Another criticism against the RCT and PCT is directed by Amartya Sen who claims that the choice theories mostly rely on Adam Smith's idea of human behavior, but their understanding of Adam Smith is wrong. Sen claims that there is a link between *The Theory of Moral Sentiments* and *The Wealth of Nations* and that human behavior cannot be separated from morality. For Sen, choice theorists frequently refer to the writings of Smith in *the Wealth of Nations* when they defend the notion of self-interest. He says:

The defenders of the former approach seem to refer frequently to remarks of Adam Smith on the so-called economic man, but then one overlooks much of Adam Smith's other writings including *The Theory of Moral Sentiments*, and, indeed, a good part of *The Wealth of Nations*, where Smith took a broader view of human motivation in society and did not see self-interest pursuit as uniquely rational.¹⁴³

Sen continues to argue that choice theories' narrow analysis of human behavior ignores the basic concepts of Smith such as sympathy, prudence, and impartial spectator:

Most of modern economics tends to concentrate too heavily on very narrow things, leaving out enormous areas of what are seen as political and sociological factors on the one side, and philosophical issues on the other. But these issues are often central to economic problems themselves. Taking an interest in

¹⁴³ Arjo Klammer, "A Conversation with Amartya Sen," *The Journal of Economic Perspectives* 3 (1989): 141.

them is part of our own heritage. After all, the subject of modern economics was in a sense founded by Adam Smith, who had an enormously broad view of economics.¹⁴⁴

Smith suggests that people as self-centered individuals have passions which can be divided into five classes: selfish (e.g. joy and grief), social (e.g. generosity, humanity, friendship), unsocial (e.g. music), bodily (e.g. hunger, thirst) and imaginative passions (e.g. that raises sympathy).¹⁴⁵ He also gives numerous examples that show the fundamental desire of humans is to receive sympathy from others for their moral situation. For example, they seek wealth and dignity to acquire approval of other men. The need for sympathy urges people to socialize and regulate their behavior to make it conform to moral values. People would think twice about killing a person; not just because it is wrong but because it would cut him off from the sympathy of his fellow beings. For Smith, sympathy is an original emotion of our nature, not a derivative passion. What makes our friends miserable makes us also miserable, and what makes them happy makes us also happy. Since mutual sympathy is itself a pleasant feeling,¹⁴⁶ it “enlivens joy and alleviates grief. It enlivens joy by presenting another source of satisfaction; and it alleviates grief by insinuating into the heart almost the only agreeable sensation which it is at that time capable of receiving.”¹⁴⁷ Thus sympathy has a social function. It forces us to moderate our passions in order to create in “harmony and concord with the emotions” of those who are watching us.¹⁴⁸

¹⁴⁴ Ibid.

¹⁴⁵ Adam Smith, *The Theory of Moral Sentiments*, ed. Knud Haakonssen (Cambridge: Cambridge University Press, 2002), 32-49.

¹⁴⁶ Gavin Kennedy, *Adam Smith's Lost Legacy* (New York: Palgrave Macmillan, 2005), 63.

¹⁴⁷ Smith, *Theory of Moral Sentiments*, 18.

¹⁴⁸ Ibid., 27.

People, according to Smith's *The Theory of Moral Sentiments*, have also certain virtues such as prudence, justice, and benevolence: "The man who acts according to the rules of perfect prudence, of strict justice, and of proper benevolence, may be said to be perfectly virtuous."¹⁴⁹ Prudence guides the moral agent towards securing his own well-being. Smith gives a description of the character of a prudent person in the following paragraph:

The prudent man always studies seriously and earnestly to understand whatever he professes to understand and not merely to persuade other people that he understands it; and though his talents may not always be very brilliant, they are always perfectly genuine. He neither endeavors to impose upon you by the cunning devices of an artful impostor, nor by the arrogant airs of an assuming pedant, nor by the confident assertions of a superficial and impudent pretender; he is not ostentatious even of the abilities he really possesses. His conversation is simple and modest, and he is averse to all the quackish arts by which other people so frequently thrust themselves into public notice.¹⁵⁰

Smith also distinguishes ordinary prudence from that of a higher form which belongs to great statesmen or legislators. This higher prudence presupposes the perfection of all intellectual and moral virtues. It is the most perfect wisdom combined with the most perfect virtue. The virtue of prudence along with propriety and benevolence are recommended to us by our concern for our happiness and the happiness of others; in other words, by our selfish or benevolent affections. These affections are the qualities and actions which make up the virtue of self-command.

¹⁴⁹ Ibid., 279.

¹⁵⁰ Ibid., 250-252.

Smith says, “self-command is not only itself a great virtue, but from it all the other virtues seem to derive their principal luster.”¹⁵¹

What makes the concept of self-command a different virtue for Smith is its unique character as the foundation of all virtues such as prudence and justice. Self-command is not only a virtue, but it is also the source of all the other virtues and so enables us to act according to prudence, justice, admiration and esteem. The person with self-command declines an immediate tempting pleasure for a pleasure which is not provisional: “To feel much for others, and little for ourselves, to restrain our selfishness, and to indulge our benevolent affections, constitutes the perfection of humanity.”¹⁵² Since the virtue of self-command is judged by an impartial spectator, it is reflected in our sense of propriety. Self-command is the capacity of the individual to control his selfish passions and to direct his efforts toward socially a beneficial aim. The moral agent requires self-command to determine his actions and passions from the standpoint of the impartial spectator. Most importantly, only the reciprocal process of sympathy and self-command makes one virtuous; so, the virtuous person can discover his/her true nature and learn how to act rationally. In Smith’s understanding, rational actions are clearly prudent actions which might be linked to virtues, conventions or the principle of sympathy. Sympathy and the impartial spectator’s view restrain egoistic motivations.¹⁵³ Thus rationality not only requires an evaluation of our objectives, but also of our values, which are not directly linked to these objectives, in order to withstand accurate examination and assessment.¹⁵⁴

¹⁵¹ Smith, *The Theory of Moral Sentiments*, 284.

¹⁵² *Ibid.*, 30.

¹⁵³ Franz F. Eiffe, “Amartya Sen Reading Adam Smith,” *History of Economics Review* 51 (2010): 3.

¹⁵⁴ *Ibid.*, 8.

Therefore, the arguments of the two books together, *The Theory of Moral Sentiments* and *Wealth of Nations* presents Smith's model of human behavior not purely utilitarian but complete with human sentiments. This aspect of Smith's approach, according to Sen, is usually ignored by many recent economists who concentrate only on rationality, consistency, choices, and ends of economic action, ignoring the setting in which these concepts occur. Sen supports his idea by giving the following example:

When an accident has happened or someone is in danger, you are not going to figure out how your helping will affect the promotion of your goals. You do certain things immediately because there are certain rules of good behavior which you follow. These rules of behavior give people confidence about what they can expect from each other. Self-goal choice may be, thus, rejected, but it is a very productive rejection. Rules of conduct may create a situation which is superior for all. The norms that emerge in society are sensitive to the issues of social instrumentality.¹⁵⁵

Sen, inspired by Smith, wants to open a way for social rationality or a kind of "plurality within the general idea of rationality."¹⁵⁶ For him, the issue of human motivation needs to be studied from different perspectives not just only from self-interest, because the individual cannot be reduced to a one dimensional *homo economicus*. Otherwise, they will be just "rational fools" who were described in the following paragraph:

A person thus described may be "rational" in the limited sense of revealing no inconsistencies in his choice behavior, but if he has no use for these distinctions between quite different concepts, he must be a bit of a fool. The purely economic man is indeed close to being a social moron. Economic theory has been much

¹⁵⁵ Klammer, "A Conversation with Amartya Sen," 145.

¹⁵⁶ Ibid., 146.

preoccupied with this rational fool decked in the glory of his one all-purpose preference ordering. To make room for the different concepts related to his behavior we need a more elaborate structure.¹⁵⁷

Sen introduces the concept of commitment along with sympathy to emphasize the non-egoistic part of individuals. He says “[i]f the knowledge of torture of others makes you sick, it is a case of sympathy; if it does not make you feel personally worse off, but you think it is wrong and you are ready to do something to stop it, it is a case of commitment.”¹⁵⁸ So individuals are motivated by both social and selfish interests and as Sen claims, rationality cannot be constrained within the framework of instrumental mechanism of maximization. In other words, there is a need to revise economics in the light of Smithian moral tradition. With regard to cultural behavior, I think, the RCT and PCT can also get help from Smith’s and Sen’s insights regarding sympathy and commitment and use them in understanding, explaining and predicting the behavior in the domain of culture.

3.4.4. The PCT fails to Produce Empirically Satisfactory Findings

From the perspective of scholars who consider politics as an “area of the accidental, the emotional, the ideological, the habitual and the traditional,” the PCT is an “empirically vacuous practice” for the economists to “engage under the aegis of instrumentalism.”¹⁵⁹ In other words, for them, the RCT, along with its application to politics, the PCT, is limited in its scope and hence cannot be a good candidate for a comprehensive social theory. As long as the RCT remains within the field of economics, it is a useful research tool just for this area. However, as the

¹⁵⁷ Amartya Sen, “Rational Fools: A Critique of the Behavioral Foundations of Economic Theory,” *Philosophy & Public Affairs* 6 (1977): 336.

¹⁵⁸ Ibid., 326.

¹⁵⁹ Friedman, “Economics Approaches to Politics,” 1.

preceding discussions show that its application to politics, culture or other domains is less than compelling.

Similar criticism against to the RCT and the PCT comes from the authors of *Pathologies of Rational Choice Theory*, Donald P. Green and Ian Shapiro. Having investigated the empirical sufficiency of the PCT, they declare that it “has not produced novel, empirically sustainable findings about politics.”¹⁶⁰ They mentioned four reasons that the RCT lead to “pathological” conclusions in politics. First, the theory tends to look at empirical evidence, then designs a model that fits it. When confronted with contrary evidence in reality, however, the RCT theorists modify their theory easily accordingly. Second, the RCT predictions rely on unobservable entities that cannot be scientifically tested such as equilibrium. Third, the domain of applicability of the RCT is unspecified. Finally, the RCT searches for confirming evidences for itself rather than falsifying ones.¹⁶¹

Green and Shapiro argue that the choice theories have contributed little to our understanding of politics. Some propositions that are derived from the rational choice theory have been subjected to serious empirical scrutiny and survived. However, this is not because they are true and valid but because they are subjected to improper tests.¹⁶² The voting behavior, for example, casts some doubts on the assumptions of the choice theories about human rationality. Although voting behavior appears as an irrational act in the framework of choice theories, in reality people still vote. These events may be interpreted as that individuals are less rational in real life scenarios than the rational choice models forecast. This has become a basic objection raised against the RCT in politics: How can a theory survive when it predicts that people will not vote since rationality requires them to

¹⁶⁰ Ibid.

¹⁶¹ Green and Shapiro, *Pathologies of Rational Choice*, 34-46.

¹⁶² Ibid., 9.

abstain from voting but nevertheless they still go out to the polls and vote for the candidates of their choice? How can the RCT make accurate predictions and explain political phenomena, when its basic assumptions fail?¹⁶³ These essential questions do not mean, however, that Green and Shapiro reject rational analysis altogether or ban it from scientific research of politics. Rather, they try to prove that the RCT, and its application to politics, offer limited explanations for the complexities of political and social behavior. Their aim is to put limits on the RCT as a candidate for a general theory of human behavior.¹⁶⁴

Herbert Simon, in a similar way, criticizes sharply the RCT by claiming that “the difficulty with the assumptions underlying the rational expectations hypothesis is that, although they are empirical assumptions, almost no empirical evidence supports them.”¹⁶⁵ This means that individuals who have economic, cultural and political interactions cannot be assumed to have a set of stable and ordered preferences pursuing their self-interests. Furthermore, since the RCT applies to some cases does not mean that it applies to all.¹⁶⁶

No doubt these criticisms cast a shadow of doubt about the potential application of the RTC to real life scenarios including political and cultural behavior. Is it possible, then, to introduce a model that would generate simple and accurate descriptions about the behavior of individuals facing choices in a society? In fact, the critics of the RCT and PCT, merely point out some problems but they do not develop an alternative theory in its place. The RCT or the PCT is as useful as any other theory that tries to explain and predict the complicated world of

¹⁶³ Parsons, *Rational Choice and Politics*, 126.

¹⁶⁴ Djordje Stefanovic, “Containing Rational Choice Theory: Michael Hechter’s Rational Choice Theory of Nationalism vs. the East European Experience with Nationalism,” *American Sociological Association* (2007): 1-26.

¹⁶⁵ Herbert Simon, *The Sciences of the Artificial* (Cambridge, MA: MIT University Press, 1991), 47.

¹⁶⁶ Friedman, “Economics Approaches to Politics,” 2.

human behavior. It is safe to claim that as long as empirical evidence is concerned, no theory of behavior is bereft of these mentioned criticisms, the RCT included.

3.5. Conclusion

In this chapter, I have presented the PCT as a model with its merits and shortcomings and then applied it to the domain of culture to test its success and failure for explaining cultural behavior. To this aim, I have explained the emphasis of the choice theories on rationality, methodological individualism, political exchange and government failures. It seems that these topics open a new way to understand economic and political behavior. However, in the case of cultural behavior, it does not seem quite possible to say the model and its application exhaust all problematic aspects of cultural behavior. For this reason I introduced further four criticisms. The following paragraphs give the summary of this chapter:

- [i] Although cultural behavior is described as irrational on the ground that it cannot be purely related to utility maximization, it can be subject to rational evaluation and calculation.
- [ii] Assuming a rational and self-interested person in matters of decision-making, the application of the PCT suggests that individuals can follow a similar pattern of behavior in cultural area as well. Further, the economic and political exchange that takes place among individuals in a society with the aim of utility maximization can be analogous to the cultural exchange that takes place among individuals, groups and political constituencies in the field of culture.
- [iii] The PCT and the RCT, as they have been discussed in the current literature, appear to be inadequate in explaining and predicting human behavior in cultural matters.

CHAPTER 4

CONSTITUTIONAL ECONOMICS APPLIED TO CULTURE AND IDENTITY

4.1. The Problem

The previous two chapters have been devoted to the two premises of the argument of this dissertation. The first premise is that all individuals are rational and they maximize their utility, and second is that governmental and cultural failures are the failure of instrumental rationality of individuals. So, this chapter aims to conclude that to avoid governmental and cultural failures, fair constraints and constitutional rules must be established for all. To this aim, in this chapter, I present the *constitutional political economy* as a model and then apply this model to *cultural rights*, with the aim of making a case for *the constitutional cultural rights*. After the application, I will again discuss its weak points, defects and shortcomings.

Survey of the two premises in the preceding chapters has led to both optimistic and pessimistic predictions about cultural actors, political structures, and rational individuals including their behavior in relevant fields. On the one hand, individuals as rational actors calculate their benefits, and decide and act accordingly but, most of the time the conclusion paradoxically ends up in failure almost in every field. Not only ordinary people but also politicians and bureaucrats fail in political and cultural fields. Furthermore, their failures have been exacerbated by emerging conflicts at different levels. These conflicts in the end prevent political systems to deliver the commitments the politicians have made.

The classic social contract theory assumes that individuals as rational beings have established governments in order to solve various kinds of conflicts and to provide security for all citizens who happen to live in a society. So the theory advertises itself as an effective answer to the problems that the rational individuals face. The assumption that contract theories made is important for our purposes since the PCT, as an extension of RCT to politics, uses contract theories as its base. I will first evaluate social contract theories in terms of their efficiency; second, I will examine whether they need to be revised or amended in terms of the PCT as well as its application to the cultural field; finally, I will raise and try to answer the following questions: If governments are built for some rational reasons by rational individuals, why do we have conflicts in the areas where they are meant to bring solution? Is this an unavoidable consequence of instrumental rationality? Without compromising the rationality assumption of individuals, is there any way to restore and constrain the governments? If there is, how shall we proceed?

In order to successfully deal with the failures arising from individual self-interested rationality, the above questions must be answered. The answers will have some normative implications for political and cultural behavior of the individuals. The descriptive features of the RCT and the PCT rather than their normative implications come to the fore in most of the contemporary literature. This chapter will be mainly concerned with the normative constraints for political and cultural failures through the investigation of constitutional framework. Through this concern, I would like to end with an argument which has the potential to explain rational and irrational outcomes of individual behavior and to contribute to the debates on constitutions.

The issue of constitution may be seen as lying outside scope of immediate philosophical interest like culture and identity. This would be a mistake since law is not a closed system from the normative point of view and philosophy has a lot to offer to the normative aspects of legal concepts. One may even argue that the principles of coherence and integrity in legal systems can only be satisfied through

political philosophy. Furthermore, the basic concepts of jurisprudence such as justice, equality and impartiality are so old philosophical questions that many philosophers had to explain them throughout the history of philosophy.¹

Constitutional discussion, which is the main subject of this chapter, is divided in three sections. In the first section, first, I will give a brief outline of the social contract theories which offer themselves as a solution for conflicts in the area of politics. Although there are several versions of social contract theory, in this chapter I will focus especially on the models of Thomas Hobbes, John Locke, John Rawls and James Buchanan. Next, I will make an analogy between anarchy in the state of nature and the dilemma that prisoners face in search of solution. Furthermore, I will focus on the idea of constitutional political economy provided within the framework of the PCT to explain rights and constraints for individuals and governments. Finally, I will discuss the ways in which the rulers and the ruled differ with regard to rights and constraints.

In the second section, I will apply constitutional constraints as proposed by the PCT to culture to see whether the application is helpful to understand behavior of individuals in the domain of culture. In the last section, I will give an assessment of the model and its application to culture and identity, and then criticize the argument where needed.

4.2. Model: Constitutional Political Economy

Throughout the history of philosophy, two dichotomies seem to have motivated political philosophers in constituting their arguments: [1] anarchy vs order; [2] oppression vs freedom.² These two dichotomies make it easier for us to compare

¹ Michel Rosenfeld, "Philosophy in Law? A Legal-Philosophical Inquiry," *Ratio Juris* 1 (2014): 1.

² Charles K. Rowley, "Fragmenting Parchment and the Winds of War: The Constitution of the United States, 1860-2004," *Policy Challenges and Political Responses: Public Choice Perspectives on the Post-9/11 World* (Dordrecht: Springer, 2005), 33-56.

and contrast a number of theories developed by philosophers for the emergence of political structures. However, both dichotomies remind us primarily the social contract approach. Although different political theories and systems have been proposed since Plato, in recent debates, it has become almost a routine to start with the social contract theory. The contemporary philosophers James Buchanan, John Rawls and David Gauthier among others have reawakened social contract theory in the light of choice theories. This approach seems to be a departure from the classical contract theories of Hobbes, Locke and Rousseau who are not primarily interested in strategic behavior, rational preferences and utility maximization and so on.

One reason for putting the social contract under the limelight is that, it seems to have a comprehensive scope and explanatory power regarding the nature of the society, government and individuals, though many acknowledge that social contract as the beginning of civil society under a political agreement is rather a hypothetical scenario. The theory begins with individual consent and posits a fairly intuitive principle of justice and tries to justify requirements for the political order. The recent recasting the contract theory within a choice format explains the emergence of political process based upon individual preference and dismisses the need for external justificatory reasons. The theory is justified on the assumption of the rationality of the individual which provides an advantageous standing for everyone who enters into contract with each other giving their consent to establish a government. This feature of interpersonal interaction provides a reasonable ground for the present political systems apart from moral assumptions. Furthermore, individual actions in the contract theories are assumed both to be founding and boosting of governments.³ In order to institute a government, which everyone would rationally agree, social contract theories take into account interests of individuals. This does not mean that each and every interest that individuals

³ Jean Hampton, "The Contractarian Explanation of the State," *Politics and Rationality*, ed. William J. Booth et al. (Cambridge: Cambridge University Press, 1993), 35.

have are included in the theory. In fact, there is no reason to assume that all individuals are necessarily selfish or egoistic. They have enough information to cooperate with each other to benefit their cooperation. There we need to clarify which interests are purely selfish and egoistic to separate them from other interests that promote cooperation.

Another reason for the success of the contract theory in contemporary political philosophy is that it explains the continuity between the structure of governments and its impact on the society starting from 17th century, the date that the theory explains the structure of governments in the contemporary world. At that time, political structures began to centralize their institutions and increase their power in all areas after the collapse of the feudal system. Industrial revolution boosted this process of centralization. Moreover, in addition to their role as protector of rights, the states had power to violate the very same rights paradoxically. In that case, the question whether they were responsible for their actions or not have kept the political philosophers busy.⁴ This also motivated the recent development of the cherished political concepts such as constitutional government, separation of powers and the rule of law.

Last reason is that, in order to explain political power, the state of nature has to be assumed, since this will give us the distinction between what individuals possess naturally and what should be given in a political system. As John Locke argued, making this distinction is the first step towards understanding how political systems emerge: “To understand political power right, and derive it from its original, we must consider what state all men are naturally in, and that is, a state of perfect freedom to order their actions”⁵ It seems that we have to start somewhere and for many thinkers like Locke the state of nature is the natural place to start. The

⁴ Stefan Voigt, “Dictators and Social Contracts” *Encyclopedia of Public Choice*, ed. Charles K. Rowley (Boston: Kluwer Academic Publishers, 2003), 146-148.

⁵ John Locke, *The Second Treatise of Government*, ed. C.B. Macpherson (Indianapolis: Hackett Publishing Company, Inc., 2005), 8.

state of nature is considered by them an impartial context which indicates what people would or could agree, at least hypothetically.

Although the above mentioned reasons can be found more or less in different social contract theories, they also have sharp differences. These are the idea of rationality, original situation or state of nature, and so on, which do not have the same meaning in every contract theory. For example, while the Rawlsian contract theory focuses on instrumental rationality for rational agents, for Hobbes and Locke the concept of consent plays a central role. Although Hobbes considers that it is rational for everyone to give authority to one leader to conduct the absolute political power, Locke does not approve an absolute monarchy. Moreover Rawls takes his inspiration from Locke and Kant, but Buchanan finds the Hobbesian social contract theory more helpful in his theory of constitutional government. In addition, whereas Robert Nozick focuses on anarchy, David Gauthier promotes rationality as maximization by certain moral norms. Similar to Gauthier, Rawls regards rational decisions as an interactive choice. Both consider contractarianism as a cooperative arrangement for mutual benefit of the participants. This also provides a background for which (moral or legal) principles should be preferred through an agreement between rational persons. It links maximizing rationality to the principles as a constraint for mutual advantage. Thus, the system must depend upon an agreement between instrumentally rational agents with the expectation of advantage in which the governing principles are chosen accordingly through bargaining.

4.2.1. Classical Contract Theories as the Basis for the PCT

As one of the founders of public choice theory, James Buchanan has been influenced especially from the Hobbesian version of social contract theory and his instrumental rationality. In the following pages, I will briefly mention the position of Locke, Rawls and Gauthier in relation to the PCT. However, my focus will be on the relation between Hobbes and Buchanan, since Buchanan notes that “the

origins of the state can be derived from an individualistic calculus in this way, at least conceptually, as we know from the writings of Thomas Hobbes as well as from earlier and later contractarians.”⁶

Buchanan compares different versions of social contract theories with the modern constitutions which are accepted as a kind of social consensus for the legitimacy of states. After reviewing different theories, he ends up with the question, “Is it possible to live in *order* without *anarchy* in a stateless society?” and note that the rational answer should be “no” similar to Hobbes. In fact, the question itself is as important as the answer. The words *order* and *anarchy* imply that it is not possible to live in peace in a stateless society, and further imply that human beings are self-interested and utilitarian in nature. In this regard, whereas the state of nature is characterized as anarchy, the state is characterized as order. So, the first dichotomy, anarchy vs order, determines the framework of ideas of both Hobbes and Buchanan. As described by Hobbes, people’s tendency to desire more leads to violence and conflict in a stateless society:

In such condition, there is no place for Industry; because the fruit thereof is uncertain: and consequently no Culture of the Earth; no Navigation, nor use of the commodities that may be imported by Sea; no commodious Building; no Instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth; no account of Time; no Arts; no Letters; no Society; and which is worst of all, continual feare, and the danger of violent death; And the life of man solitary, poore, nasty, brutish, and short.⁷

This quote emphasizes Hobbes’s pessimism with regard to the nature of human beings who eventually come into conflict with each other. The reason, for Hobbes,

⁶ Buchanan, *The Limits of Liberty*, 15.

⁷ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1996), 89.

is appetite or desire as the main motivation which forces human beings to get power: “I put for a general inclination of all mankind, a perpetual and restless desire for Power after power that ceaseth only in Death.”⁸ Fortunately, Hobbes considers that people have a chance to get rid of fear of death and violence by evoking the same rational behavior in all individuals; namely by means of consent on the social contract. However, the uncivilized and wild aspects of the state of nature require a more complicated system for protection. So, desiring more power brings fear of death or eternal struggle and this fear leads to people to establish a community by obeying to power. In other words, people choose to construct a society not because of their desire to live together or due to a sense of social solidarity but because of a deep fear from each other. In this regard, main benefits of a society are to protect against threats and to help overcome the fear of death. This is a kind of compulsory behavior that justifies Hobbes’s reasons to constitute a government to reach an order.

Before going into the details of choice theories in relation to the contract theory of Hobbes, it would be appropriate to mention briefly the other dichotomy; namely, oppression vs freedom. John Locke’s theory of social contract can be evaluated under this second dichotomy, since, unlike Hobbes, Locke describes the state of nature in which individuals have natural rights and freedom as equal persons under natural law. The natural rights such as life, liberty, and estate are the ones that human beings have prior to the formation of any government. People in the state of nature, according to him, are born free and independent. They can appropriate estate firstly by applying their labor to the objects, and then by exchanging valuable goods and materials. If that is the case, Locke asks, “Why will he part with his freedom, this empire, and subject himself to the dominion and control of any other power?” He replies with the following reasons:

⁸ Ibid., 86.

Firstly, there wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them [...] Secondly, in the state of Nature there wants a known and indifferent judge, with authority to determine all differences according to the established law [...] Thirdly, in the state of Nature there often wants power to back and support the sentence when right, and to give it due execution.⁹

Even if there is a natural law that everyone is subject to in the state of nature, Locke thinks that it will not be sufficient to protect the property of individuals for a long time, since the state of nature lacks three things mentioned in the above quote. To repeat, first, “an established, settled, known law”; second “a known and indifferent judge”; and the last, “power to back and support the sentence.” In fact, these problems are caused by people who do not “act strictly in accordance with God’s law.”¹⁰ If they act in accordance with it, the state of nature would be peace. However because of the irrationality that is exhibited by man, “who declares himself to live by another rule, than that of reason and common equity,”¹¹ state of nature is confined to violence and noncooperation. Then Locke justifies government as an organ constructed in order to get rid of violence and preserve private property through meeting the mentioned three requirements. This means that even if there is a kind of freedom in the state of nature, it is not perfect and it is conducive to certain harmful consequences, such as conflicts and wars. People can overcome these problems with the ability to use their reason. So, Locke considers that people have capacity to find out what is right for themselves. In other words, they are rational enough to know whether their condition in the state of nature is less than satisfactory. When they realize their unsatisfactory condition in the state

⁹ Locke, *The Second Treatise of Government*, 66.

¹⁰ Hampton, “The Contractarian Explanation of the State,” 37.

¹¹ Locke, *The Second Treatise of Government*, 10.

of nature, they can decide to construct a political body and transfer some of their rights to a political power. But the crucial question for Locke is: What is the basic requirement for a legitimate government?

According to Locke, the primary condition for legitimate government is the consent of individuals. Establishing the government by the consent is to ensure peace and freedom in the society as indicated in the following paragraph:

For, when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority. For that which acts any community, being only the consent of the individuals of it, and it being one body, must move one way, it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority, or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it agreed that it should; and so everyone is bound by that consent to be concluded by the majority.¹²

The requirement of consent is not a random word for Locke. It is necessary to form a political community and to make it stable and sustainable. When people agree on a form of government, it will be solid because once consent is given, it cannot be withdrawn. He notes that societies often forget this starting point, “*the beginning of politic society* depends upon the consent of individuals, to join into, and make one society.”¹³ Being one society and securing social order, then, require the consent of those who are to be governed. But there is still a problem about the formation of government: Which system is most suitable for rational individuals?

Locke believes that individuals have several options. They may choose an oligarchy, for example, in which they submit that legislative power to a few selected persons. Or they may choose a monarchy, in which they give power to a

¹² Ibid., 52.

¹³ Ibid., 106.

single person. Or they may form a political society so that they retain the legislative powers for themselves. Locke not only mentions different options for individuals but also recommends the best structure for political society: “...*civil society*; the chief end whereof is the preservation of property.”¹⁴

Having decided the form of government, individuals need to make a decision what rights they will keep and what rights they will transfer to the constructed government voluntarily. In the state of nature people had two natural rights: first, the right to do as they wish within the bounds of the law of nature, and second, the right to punish the crimes committed against natural law.¹⁵ Although each individual in the state of nature has the right to enforce the natural law in defense of property interests, the formation of a political society requires that all individuals give up this right. While the first right is partially given up by submitting oneself to the laws of political society, and the second right of punishing is given up totally in favor of putting oneself under the protection of the executive power of the society: “Both these he gives up when he joins in a private, if I may so call it, or particular political society, and incorporates into any commonwealth separate from the rest of mankind.”¹⁶ Thus, in the political society, people submit natural freedoms to the common laws of the society; in return, they receive the protection of the natural rights.

4.2.2. Rawlsian Contract Theory and Choice Theories

Locke’s idea of social contract is brought into current debates by John Rawls who based mostly on the RCT when he develops a new approach to justice in his book *A Theory of Justice*. Even though he follows Locke closely in many aspects, Rawls

¹⁴ Ibid., 45-46.

¹⁵ Ibid., 67.

¹⁶ Ibid.

aims to eliminate unfair conditions from Locke's theory. For Rawls, Locke's theory of social contract deprives people of their rights particularly with regard to their gender and qualifications. The three main concepts characterize his theory: principles of justice, the veil of ignorance, collective rationality.

First, the principles of justice are the principles with which individuals make preferences according to the precepts of rational choice. They make their choice through hypothetical situation of *veil of ignorance*. Since the individuals do not know what will happen in the future, they will choose rules and norms that would be suitable for a general framework of justice rather than merely to promote their desires and greed. Before the state, individuals are more likely to agree on certain impartial norms and rules. Thus the principles of justice are developed by a fair agreement of rational individuals. During the situation of veil of ignorance, a process of bargaining is carried out which not only determines what principles and form of government would be established by rational choices but also provides a way of solving problems which emerge from the conflicts among people.¹⁷ He imagines the agreement situation as an impartial contract that all sides are free, equal, and fairly disposed. Further, since people do not have information about each other and they do not carry prejudices against each other, they would practice the principles of justice when they make decisions:

Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength and the like. We shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance.¹⁸

¹⁷ John Rawls, "Outline of Decision Procedure for Ethics," *The Philosophical Review* 60 (1951): 177-97.

¹⁸ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 12.

Second, Rawls introduces the concept of veil of ignorance as a ground for impartial agreement. This concept helps us to understand why Rawls prefers to employ the model of individual choice under uncertainty to his theory. The initial situation as veil of ignorance is a situation under uncertainty since it brings impartiality and it helps us to imagine that we pursue the principles of justice as free, rational and equal individuals.¹⁹ However, Rawls admits that individuals are rational in a limited way. He adds that even though the persons are rational in the narrow sense, their choice becomes acceptable and relevant because this is a choice in the original position before government. That is, justice as a choice is based on a fair consent among rational individuals. This can be read against Arrow's Impossibility Theorem which is mentioned in the previous chapter. While Arrow claims that the unanimity principle is just an ideal view and cannot be applied to real life voting processes, Rawls think that contractarian consensus is conceivable in hypothetical situations. Contrary to Rawls, however, a recent author Chantal Mouffe raises the following criticism by labeling Rawls' theory as "*Political Philosophy without Politics*":

Such a view of the political is completely lacking in Rawls who takes for granted the existence of a common rational self-interest on which the citizens acting as free and equal moral persons can agree and ground principles of justice. He seems to believe that disagreements only concern religious and philosophical questions and that by avoiding those controversial issues it is possible to reach a consensus on the way the basic institutions of society should be organized. He is so confident that there is only one solution to this problem and that rational persons deliberating within the constraints of the reasonable and moved only by their rational advantage will choose his principles of justice, that he considers it would be enough for one man to calculate the rational self-interest of all.²⁰

¹⁹ Samuel Freeman, "Original Position," *The Stanford Encyclopedia of Philosophy* (Fall 2014 edition), ed. Edward N. Zalta. <http://plato.stanford.edu/entries/original-position/>

²⁰ Chantal Mouffe, *The Return of the Political* (London: Verso, 1993), 50-51.

Third, Rawls sees society as a cooperative arrangement for mutual benefit and as an important background for the principles of justice that come about through an agreement between rational persons. As noted by Rawls, “a well-ordered society satisfies the principles of justice which are collectively rational from the perspective of the original position.”²¹ This sentence shows that Rawls links his idea of contract with collective rationality. In fact, he aims to provide a framework in which rationality as utility maximization is linked to the principles of justice as constraints for mutual advantage so that the market failures arising from individual rationality are solved through this framework. All these simply mean that Rawls considers the theory of justice as a part of the RCT.²² To be more precise, Rawls takes the RCT as a normative theory that provides the best actions to reach our ends. The following brief quote will help us to understand what Rawls’s project is about:

My aim is to present a conception of justice which generalizes and carries to higher level of abstraction the familiar theory of the social contract as found, say, in Locke, Rousseau, and Kant... The guiding idea is that the principles of justice for the basic structure of society are the object of the original agreement. They are the principles that free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their association...Just as each person must decide by rational reflection what constitutes his good, that is, the system of ends which it is rational for him to pursue, so a group of persons must decide once and for all what is to count among them as just and unjust. The choice which rational men would make in this hypothetical situation of equal liberty, assuming for the present that this choice problem has a solution, determines the principles of justice.²³

²¹ Rawls, *A Theory of Justice*, 505.

²² Ibid., 408.

²³ Ibid., 11.

As we may infer from the quote, Rawls considers the versions of the contract theory in Locke, Rousseau and Kant as decisive; however, he thinks that Hobbes' version "raises special problems" of its own.²⁴ A major problem is about the hypothetical original situation.

In the Hobbesian version, even though all individuals are considered as equal and rational, there is no evidence that people would share goods equally, since according to Hobbes, people are only motivated by self-interest and desire. Further, it seems that there is no standard principle to judge whether these subjective interests and desires are right. Bargaining by itself in the state of nature does not guarantee justice.²⁵ So, there is a problem, for Rawls, in the Hobbesian version, since Hobbes ignores the fact that we share certain moral values and principles when we try to reach an agreement. Hobbes explicitly says that "whence it follows that the strongest must have it, and who is strongest must be decided by the Sword"²⁶ in the state of nature.

However, Rawls thinks that since no one knows about her or his situation in the state of nature, because of the *veil of ignorance*, they cannot bargain but they can set up an impartial basis to decide the principles and to evaluate their interests.²⁷ Since the task of persons when they leave the state of nature is not to advance their interests after agreement, rather to reach a mutually acceptable agreement. In this regard, Rawls, differently from Hobbes, gives priority to irreducible moral principles which are not subordinate to individual interests.²⁸

²⁴ Ibid.

²⁵ Greg Hill, "Reason and Will in Contemporary Social Contract Theory," *Political Research Quarterly* 48 (1995): 101-116.

²⁶ Thomas Hobbes, *Man and Citizen* (Indianapolis: Hackett Publishing Company, 1991), 115.

²⁷ Rawls, *A Theory of Justice*, 145.

²⁸ Hill, "Reason and Will in Contemporary Social Contract Theory," 101-116.

4.2.3. Anarchy as a Prisoner's Dilemma

Contrary to John Rawls, James M. Buchanan prefers to follow Hobbesian social contract theory. There are two significant elements in the Hobbesian theory that appeals to Buchanan. One is the methodological individualism and the other is the form of the state.

Since I have already discussed the methodological individualism under the title 2.2.3, here I will consider on Hobbes's view of individual briefly. It is obvious that Hobbes's state of nature is composed of instrumentally rational individuals, since the consensus for the state is based on the agreement among self-interested individuals. Individuals act in accordance with their reason which functions instrumentally and has a capacity to postulate goods such as peace, safety, security. These goods can be accepted by all, since individuals can get mutual advantage from them in compliance with their interests. In that sense, Hobbes accepts that reason "is nothing but Reckoning (that is, Adding and Subtracting) of the Consequences of general names agreed upon, for the marking and signifying of our thoughts."²⁹

The second appealing aspect to Buchanan in the Hobbesian theory is the form of state that is based on the idea of anarchic state of nature, and this can be seen in the following quote:

This is more than consent, or concord; it is a real unitie of them all in one and the same person, made by covenant of every man with every man, in such manner as if every man should say to every man: I authorise and give up my right of governing my selfe, to this man, or to this assembly of men, on this condition; that thou give up, thy right to him, and authorise all his actions in like manner. This done, the multitude so united in one person is called a common-wealth; in Latin, civitas. This is the generation of that great Leviathan...³⁰

²⁹ Thomas Hobbes, *Leviathan*, ed. Michael Oakeshott (New York: Simon & Schuster Inc. 1962), 41.

³⁰ *Ibid.*, 120.

Hobbes thinks that it is necessary to create a great Leviathan that seems to provide protection which cannot be provided by the state of nature. Exiting the state of nature, individuals transfer their rights to a third party. So, they understand that they have to obey this power as more powerful than themselves. As Brennan and Buchanan note, “In this sense, the essential feature of the establishment of order, of the leap out of anarchy, is the monopolization of the use of coercive power. Anarchy can be viewed as a situation in which there is complete freedom of entry in the exercise of coercive power; ‘order’ as a situation in which coercive power is monopolized.”³¹

The problem emerges from the fact that the state as a third party in the social contract agreement is not really a side to the contract. That is, people renounce their rights in favor of the sovereign. This is not a mutual agreement between individuals and the state; therefore, the state is not responsible for what it does. That means that people cannot put a limit to the political power which they create. The power, now, has an unlimited authority over everything. In this point, we have to ask: Is it not contradictory that while Hobbes aims order against anarchy, he ends up with the ultimate and irresponsible power of the state? In fact, Hobbes is aware of the conclusions of his theory: “For in a way beset with those that contend, on one side for too great Liberty, and on the other side for too much Authority, ‘tis hard to passe between the points of both unwounded.” As a result, the state that people institute by complying with their rational self-interests and expectations becomes a Leviathan which cannot be restricted, and natural rights and freedoms are unilaterally transferred.

Buchanan introduces the idea of constitutional political economy in the *Limits of Liberty: between Anarchy and Leviathan* following the Hobbesian order

³¹ Geoffrey Brennan and James M. Buchanan, *The Power to Tax: Analytical Foundations of a Fiscal Constitution* (Cambridge: Cambridge University Press, 2000), 6.

against anarchy thesis. Similar to Hobbes, Buchanan claims that because of limited resources people are forced to compete, even fight with each other and protect themselves against possible attacks in anarchy. If people find a way of avoiding anarchy and building a system that will ensure the protection of their properties, then the maximum benefit for each will follow. So Buchanan justifies the state as a provider of maximum benefit for all:

And we look to Thomas Hobbes, whose 17th-century vision becomes very appealing to those of us who live in the late 20th century. Hobbes described the life of persons in a society without government, without laws, as “solitary, poor, nasty, brutish, and short.” In this Hobbesian perspective, any person in such a jungle would value security to life and property so highly that any contract with a sovereign government would seem highly beneficial. The person would agree to abide by the laws laid down by the sovereign, even if he recognizes that there were essentially no limits that could be placed on the sovereign’s use of these laws for its own exploitative purposes.³²

In other words, since reconciliation and respect of individual private property will be profitable for all, people will make the cost-benefit calculation to protect themselves in the state of nature and then reach an agreement. Thus the existence of the state, according to Buchanan, is considered as a result of compromise among all. We have seen that both Hobbes and Buchanan have similar views of human nature; at this stage, can we expect any similarity between their respective political theories?

Indeed, the unique contribution of Buchanan to political philosophy is his insistence on constitution and on constitution making procedures. When he analyzes the actors and their decision making, he realizes that the solution is a limited government not a Leviathan. In other words, even if Buchanan agrees with Hobbes regarding human nature and the original situation, he differs from Hobbes

³² Buchanan, “Politics without Romance,” 51.

in solution. The most significant point for Buchanan is to determine the rules of the game and their adaptation unanimously. That is, he is not concerned with the features and qualifications of players. If the rules are adequate, the game would be successful. Otherwise, if the rules are unjust, no matter how just the players are, the game would be ineffective. In addition to the rules, another important condition for him is that the contract should be voluntary and of benefit; namely, each individual must commit to abide by the rules of the contract by his or her own will and each should gain benefit from it.³³

To determine the rules of the decision-making procedure, Buchanan describes the state of nature as a prisoner's dilemma in which two people get payoffs according to their strategies. Here are the two different versions of prisoner's dilemma in terms of strategies of players:

Players : 1 and 2

Strategy 1: Respect

Strategy 2: Disrespect

Table 11: Payoff Matrix in the State of Nature³⁴

Player 1	Player 2		
		Respect	Disrespect
	Respect	(A) 4, 4	(B) -3, 8
	Disrespect	(C) 8, -3	(D) 0, 0

³³ James M. Buchanan, "Contractarianism," *The Encyclopedia of Public Choice*, eds. Charles K. Rowley and Friedrich Schneider (Indianapolis: Kluwer Academic Publishers, 2004), 122.

³⁴ Adapted from Benjamin Powell, "Public Choice and Leviathan" *Anarchy, State and Public Choice*, ed. Edward Stringham (Cheltenham: Edward Elgar Publishing Limited, 2005), 89.

Players: 1 and 2
Strategy 1: Peace
Strategy 2: War

Table 12: Payoff Matrix in the State of Nature³⁵

Player 1	Player 2		
		Peace	War
	Peace	(A) 4, 4	(B) -3, 8
	War	(C) 8, -3	(D) 0, 0

As seen in the matrixes, players have two different strategies in the state of nature, depending on the strategy of the other player: Respect/Disrespect or Peace/War. I use the strategies of respect and peace, disrespect and war interchangeably. In the case where each player disrespects or chooses war regardless of the strategy of the other player, they will get highest payoff (8). However, if Player 1 respects and Player 2 disrespects, Player 1 will get negative payoff (-3) since she may lose her life in the Hobbesian state of nature. So the strategy of disrespecting is the dominant strategy, namely the rational one for each player in the state of nature. However, if they stay in the state of nature, they will continue to disrespect each other and this means that they will get only 0 rather than 4. If they respect each other, cell A, they will get more than when being disrespectful, cell D. Hence, we can say that Hobbes' state of nature is a prisoners' dilemma situation.

Regarding the prisoner's dilemma in the state of nature, Buchanan draws attention to another point and claims that it is more proper to analyze the game which has more than two players. He thinks that if the number of people increases

³⁵ The table adapted from Powell, "Public Choice and Leviathan," 89.

in an agreement, then the impact of one player will be reduced gradually: “In large-number groups, each individual rationally acts as if his own behavior does not influence the behavior of others. He treats others’ behavior as a part of his natural environment, and he adjusts his behavior accordingly. In this large-number setting, man ceases to be a ‘social animal’ at least in this explicit behavioral sense.”³⁶ In fact, Buchanan’s view about large number groups requires the existence of the state from another point of view. What we have stated so far regarding Buchanan’s theory does not specify the form of state assumed by him. In contrast, Hobbes is clearer about the form of the state and he thinks that there should be a coercive power to solve the problem. That is, people cannot live constantly in risky conditions. Therefore, when they repeat the game, they might reach peace at the end.³⁷ However, in the absence of the sovereign, Hobbesian conditions do not seem to lead to cooperation among the rational individuals. Buchanan reminds us that people have a tendency not to fulfill their responsibilities, so after a while, the cooperation among them will be invalid. In this case, there is no difficulty to imagine returning to the Hobbesian anarchy. This happens due to the lack of any institution to punish those who act according to the conditions of the agreement. Then, how can we reach equilibrium where people respect each other’s rights?

Buchanan’s proposal is that an impartial third party should be involved as an enforcement mechanism.³⁸ The term third party refers to the government. In that sense, the government is responsible to interpret and apply the rules to dissolve the disputes among individuals. Further, it has an authority to implement entrusted tasks through social contract. In that case, a question arises: If the government as a

³⁶ Buchanan, *The Limits of Liberty*, 66.

³⁷ Michael Moehler, “Why Hobbes’ State of Nature is Best Modeled by an Assurance Game” *Utilitas* 21 (2009): 297-326.

³⁸ Powell, “Public Choice and Leviathan,” 90.

third-party is involved in the game, how can we preserve the impartiality condition?

The government as a third-party is completely out of the game for Buchanan as well as for Hobbes. However, there is a difference between two the philosophers: while Hobbes considers the third-party as unlimited power, Buchanan seeks the possibility to place it as an umpire or referee so that its domain of power will be limited. This analogy implies that a referee is bounded with the rules of the game and she or he should decide in conformity with the agreed rules that are approved through the social contract. In that case, how does the referee analogy reflect accurately the government and its tasks? In the analogy, the game is life and the players are individuals who signed the contract. Then, is the government an actor like the rest of the individuals or is it just a composition of individuals? These questions are the main considerations for Buchanan as we mentioned previously. However, Benjamin Powell thinks that even if Buchanan challenges romantic politics by showing the motivations of politicians and bureaucrats, he does not analyze the government with the same presumptions. In other words, Buchanan fails to set up a game between the government and the citizens. He claims, “Ironically, [...] Buchanan does not analyze government with the same assumptions he makes about the people in anarchy. He leaves government ‘conceptually external’ and does not analyze the incentives facing individuals in that government.”³⁹ After his critique he proposes the following matrix:

<u>Players :</u>	Government and Citizen
<u>Strategy 1:</u>	Follow Social Contract
<u>Strategy 2:</u>	Do not follow Social Contract

³⁹ Powell, “Public Choice and Leviathan,” 91.

Table 13: Payoff Matrix for Following Social Contract⁴⁰

Government	Citizen		
		Follow Social Contract	Unfollow Social Contract
	Follow Social Contract	(A) 8, 5	(B) 7, 1
	Unfollow Social Contract	(C) 10, 1	(D) 9, 0

As shown in the matrix, if citizen recognizes that the government does not comply with the contract, she can choose not to follow the contract as well. In other words, when the government and the citizen do not follow the social contract in the cell D, the government will get 9 and citizen will get 0 which is the worst case for the citizen. Moreover, as if this is not bad enough, the citizen may face the charge of treason or betrayal. If the government follows the contract and the citizen do not, then citizen will get 1. If both follow it as in the cell (A), this would be better for the citizen. This is the highest benefit (5) in comparison to the other cells. Therefore, not following is not a rational choice for the citizen when she plays with the government. Still, interestingly, the citizen can get 1 in the cell C even if she does not follow the social contract. The reason is that government wants to leave the citizen with a motivation to adhere to the agreement.⁴¹

In sum, according to the above matrix, the government does not necessarily increase the benefit of people exiting the state of nature and entering the political contract. And this leaves the question unanswered as to why people choose to sign a contract with the state even when they get very little benefit but face potential

⁴⁰ Adapted from Powell, "Public Choice and Leviathan," 92.

⁴¹ Ibid., 92.

losses. The social and economic relations between the governments which have huge power and the capacity to implement the rules, and the citizens who have no such a power make the game unequally balanced and unfair. In fact, this is the case which Buchanan sees as problematic and provides a solution in the following paragraph:

Societies face a task of *reconstruction*; basic political institutions must be re-examined and rebuilt so as to keep governments as well as citizens within limits of tolerance. But we are approaching a period when critical diagnosis is not enough. Criticism alone can generate chaos, whether this be in the form of gradual breakdown or in the form of violent distribution. The reconstructive reform in our institutions can be accomplished without revolution of either the left or right, but this path toward the future requires that the public come to understand the limits of change as well as the value. Zealotry in the cause of anti-politics, anti-government, anti-institutions movements can result in a drift toward anarchistic terror, the jungle against which Hobbes warned us all.⁴²

It has been always a source of tension between the government and the citizens in the political domain that the government which is built for community, transforms itself into an entity above everyone. Nevertheless, it places itself as a player in the game against the citizens. Not to mention the failures of government are not accounted except in most cases with the replacement of the rulers which fall short of full justification. This makes its existence questionable from the public choice theory's point of view. However, Buchanan does not only criticize the situation, he also utters a solution: *reconstruction of institutions*. This solution is proposed in his famous theory of constitutional political economy in the following quote:

When all is said and done, Constitutional Economics, for me, must be acknowledged to rest upon a pre-commitment to, or faith in if you will, man's cooperative potential. Persons are neither bees in hives, carnivorous beasts in a jungle, nor angels in God's

⁴² Buchanan, "Politics without Romance," 59.

heaven. They are independent units of consciousness, capable of assigning values to alternatives, and capable of choosing and acting in accordance with these values. It is both physically necessary and beneficial that they live together, in many and varying associations and communities. But to do so, they must live by rules that they can also choose.⁴³

Buchanan believes that the cooperative feature of human beings is the most important part of the game. But the cooperation must be framed by certain rules that are chosen to put some constraints on the behavior of the players and they are derived from various sources such as nature, institutions, environment and budgets, etc. This is the essence of the constitutional political economy. From now on, Buchanan focuses on “the study of rules, how these rules work and how rules might be chosen.”⁴⁴ From his perspective, the focus serves to find a balance between the government and the interests of the citizens, and to keep the individual rights and freedoms on a constitutional basis. The theory of constitutional political economy is both positive and normative in contrast to the RCT described in the previous chapters.

The theory of constitutional political economy is positive because it tries to find ways to make the rules effective; namely it is a positive analysis “that compare alternative structures from within the perspective defined by the hard core of the research program.”⁴⁵ It is also normative because it asks for the legality of governments, institutions and bureaucracy. The next section will be devoted to the normative character of the theory.

⁴³ James M. Buchanan, “The Domain of Constitutional Economics,” *Constitutional Political Economy* 1 (1990): 18.

⁴⁴ Ibid., 2.

⁴⁵ James M. Buchanan, *The Economics and the Ethics of Constitutional Order* (Michigan: The University of Michigan Press, 1991), 4.

4.2.4. Rules as Constraints in Post-Constitutional Contracts

Different than the classical versions of social contract theory, Buchanan provides two types of contract: Pre-Constitutional and Post-Constitutional Contracts. At the end of the state of nature, rational individuals agree on an initial constitutional contract. People in the state of nature give up their liberties to the sovereign in exchange of security. This is the first contract that individuals enter giving their consent to create a government. While the classical theories do not need another contract to increase the utility and to constrain the behavior of government and individuals, Buchanan's version puts emphasis on extra rules after the first contract which are required to secure mutual benefits and to get rid of a possibility of establishing a Leviathan government and to ensure a reconciliation for all participants of the contract in the future.⁴⁶ Determining and limiting the future behavior are essential characteristics of constitutions which bring an advantage along with uncertainty; since "constitutional rules are designed to be durable, individuals confront generalized uncertainty with respect to the impact of such rules on their individual lives. This generalized uncertainty makes possible near universal consent regarding rules even among a heterogeneous electorate without reliance on the artificial assumptions later used by John Rawls in his famous book, *A Theory of Justice*."⁴⁷ This depends primarily on choosing the constitutional rules which do not contain any discriminatory regulations, politically and economically. Therefore this second contract, as noted by Buchanan, "essentially brings something that can be called 'the state' into being."⁴⁸

⁴⁶ Buchanan, "Contractarianism," 122.

⁴⁷ Charles K. Rowley, "Public Choice and Constitutional Political Economy," *The Encyclopedia of Public Choice*, eds. C. K. Rowley and F. Schneider (New York: Kluwer Academic Publishers, 2004), 9.

⁴⁸ Buchanan, "Contractarianism," 122.

There is a significant difference between constitutional and non-constitutional economics: while non-constitutional economics focuses on “choices made within constraints that are, themselves, imposed exogenously to the person or persons charged with making the choice,” constitutional economics analyzes “the choice among constraints.”⁴⁹ This distinction can also be called “games over the rules versus games within the rules”⁵⁰ or “analysis of the choice of rules versus analysis of choices within rules.”⁵¹ That is, contrary to previous ideas, Buchanan believes that rational individuals have a capacity to choose rules that constrain themselves.

The previous non-constitutional ideas claim that individuals choose only within “the constraints that restrict the set of feasible choice option that may be imposed by nature, by history, by a sequence of past choices, by other persons, by laws and institutional arrangements, or even by customs and convention.”⁵² Buchanan explicitly claims that his theory is based on “man’s cooperative potential.” In other words, individuals can decide and choose independently from their artificial limits, and also establish constraints for themselves to live together in communities. In that sense, determining the constitutional rules requires an analysis of decision-making mechanisms of the individuals.

There is always a need for clear, understandable and fair rules to live together before or after the social contract. If people commit themselves to these rules, then there is no requirement for rules to become laws. If they do not, then the

⁴⁹ James M. Buchanan, “Constitutional Political Economy,” *The Encyclopedia of Public Choice*, eds. C. K. Rowley and F. Schneider (New York: Kluwer Academic Publishers, 2004), 60.

⁵⁰ Peter Boettke and Peter Leeson, “An ‘Austrian’ Perspective on Public Choice,” *The Encyclopedia of Public Choice*, eds. C. K. Rowley and F. Schneider (New York: Kluwer Academic Publishers, 2004), 30.

⁵¹ Voigt, “Constitutional Political Economy,” 112.

⁵² Buchanan, “Constitutional Political Economy,” 60.

rules must be included in the constitution. What we have seen so far is that people before or after the social contract do not strictly follow the rules. Especially in politics individuals are ready to get into conflicts. That is why Buchanan calls for “genuine social contracts that may take place after (1) individual rights are assigned in constitutional contract, and (2) all gains-from trade in strictly private or partitionable goods are realized.”⁵³

To play a political game which involves the settled rules and provides mutual gains, Buchanan proposes a kind of control mechanism in order to monitor governments’ various activities including tax collection system. This gives individuals constitutional legitimacy to check and constrain the actions of political actors. To establish such a system, he, first of all, explicitly abandons “the central assumption that budgetary spending and taxes are determined through an effectively democratic voting process in post-constitutional periods.”⁵⁴ Buchanan gives some examples to show that governments invest primarily on roads, environment or construction areas to get more taxes immediately. On the other hand, they do not invest on education so much, because the tax revenues from public education can only be obtained in the long run. Therefore, Buchanan believes that the impact of constitutional constraints is a useful tool to overcome many social and economic problems, since constitutional political economy provides pro-constraints for individuals. This is noted by Rowley in the following paragraph:

In ordinary economics, analysis is concentrated on choices made within constraints that are imposed exogenously to the person or persons making that choice. Constitutional political economy, in contrast, directs analytical attention to the choice among constraints, choices that are made *ex ante* by individuals in

⁵³ Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan*.

⁵⁴ Brennan and Buchanan, *The Power to Tax*, 179.

seeking to restrict their own and others' subsequent choice sets in the ordinary political sphere.⁵⁵

On the one hand, the rules are supposed to help eliminate the rent-seeking tendency and to rationalize the social cohesion in the long-run. On the other hand, constitutional rules can provide a system of accountability so that individuals can monitor the activities of governments.⁵⁶ Furthermore, people consider that disparaging a moral value is a problem but destroying a moral value which is framed by the constitution would be more problematic. In that sense, the rules which are needed for a strong and peaceful society should be included in the constitutions. This is similar to games in which rules agreed by the players function as operative and facilitative.⁵⁷

Consider, for example, a coordination game: two different cars are facing the opposite ways on a bridge. Both cars are in a hurry and have to pass the bridge at the same time. The features of the bridge in terms of size and width are sufficient to pass both cars at the same time provided that they use different sides of the bridge. Under the time constraint, drivers cannot communicate each other regarding which direction they choose. Each car has two strategies; either right or left. To be free from car-crash, if one driver chooses the right direction, then the other must choose right; or vice versa. In that case, if there is an agreed structured rule, they will pass over the bridge at the same time without collision. If there is no such a rule and further if misinformation is involved, then they will collide. So, there should be a rule that will allow coordination between the cars. The rule will

⁵⁵ Rowley, "Public Choice and Constitutional Political Economy," 23.

⁵⁶ Randall G. Holcombe, "Constitutions as Constraints: A Case Study of Three American Constitutions," *Constitutional Political Economy* 2 (1991): 303-328.

⁵⁷ Alan Hamlin, "Reasoning About Rules" *Constitutional Political Economy* 25 (2014): 68-87.

ensure to save time and prevent damage. From the violation of the rules nobody gains.

Players : Driver 1 and Driver 2

Strategy 1: Left

Strategy 2: Right

Table 14: Coordination Game⁵⁸

Driver 1	Driver 2		
		Left	Right
	Left	(A) 10,10	(B) 0,0
	Right	(C) 0,0	(D) 10,10

The coordination game demonstrates that rules are foundations for interpersonal predictability and social stability. When the game is iterated, one of the two strategies will be available: always drive on the left or always drive on the right. Similar to this game, in Buchanan's system, constitutional rules are constructed to provide benefits to every player in the game. In that sense, the coordination game is not a zero-sum game in which a player's gain means other player's loss, namely the total is zero. In zero sum games, the gain of a player is the loss of the other. Lester Thurow, in his book *The Zero-Sum Society*, claims that if the zero-sum game is dominant in a society, then the conflicts will be discussed only in terms of losing and winning. Accordingly, if someone wants to obtain a benefit, then someone else must loose. He notes:

Our political and economic structure simply is not able to cope with an economy that has a substantial zero-sum element. A zero-sum game is any game where the losses exactly equal the

⁵⁸ Adapted from William Roberts Clark et al., *Principles of Comparative Politics* (Los Angeles: Sage Publications, 2013), 127.

winnings. All sporting events are zero-sum games. For every winner there is a loser, and winners can only exist if losers exist...What is more important, the gains and losses are not allocated to the same individuals or groups. On average, society may be better off, but this average hides a large number of people who are much better off and large numbers of people who are much worse off.⁵⁹

At first glance, the zero-sum societies have two opposite poles consisting of winners and losers. However, such societies cannot be sustainable forever and in the long term, all will be losers. Because of this potential threat, Buchanan emphasizes that to be free from political corruption and from failures caused by politicians, bureaucrats, voters and other political actors must be established a set of rules which determine the rights and freedoms of every player in the game of policy. Replacing incompetent politicians with talented ones will not solve the problem. Talented politicians may not be impartial or they may not follow the rules. This would get us nowhere. By contrast, if they are checked by the constitution and held responsible according to the legal framework, they would have an incentive to follow the rules. This would also provide an alternative to escape from anarchy through Leviathan. Therefore, the constitutional rules created within the framework of constitutional political economy will be the ground upon which the states or the rulers are held responsible and are subjected to the rule of law principle. The principle can be seen as a procedure that each person protects herself from the arbitrary actions or decisions of the authority or of the individuals.

It is obvious that the idea of constitutional economy goes beyond the coordination game. While the game is concerned with how strategies work, the theory of constitutional economy tries to provide an account for why rules are required. Furthermore, constitutional economy studies the effective rules and their adaption to political systems and constitutions. Alan Hamlin criticized this function

⁵⁹ Lester C. Thurow, *The Zero-Sum Society: Distribution and the Possibilities for Economic Change* (New York: Basic Books, 2001), 11.

of the theory as a “leap of faith,” since it presents its suggestions as a final solution for all kind of dilemmas and problems in choice theories.⁶⁰ Also another criticism is that Buchanan never shows how his ideas will be applied in political and economic settings. Buchanan, however, states explicitly that “along with limits on behavior and the rights of ownership, the inclusive constitutional contract must also make explicit the terms and conditions of enforcement. This set of terms will specify in detail the operation and limits of the protective state that is established as the enforcing agent.”⁶¹ Contrary to these critiques, it can be argued that unlike the Hobbesian pessimistic result, the theory affirms that there are rules that can be put into practice and followed by rational individuals voluntarily.

If constitutions are created by taking into the account of individuals’ self-interest, inclinations, and their voluntarily exchanges, then it is natural that they include more economical constraints for citizens and politicians. So, Buchanan’s theory of constitutional political economy explores the normative principles of such a constrained constitution that will make it easy to control behavior of politicians, bureaucrats and ordinary citizens and avoid their failures. Otherwise, without these constraints, the governments will grow unaccountable, and this will lead to corruption, nepotism, and decadence in a democracy. If constitutions integrate the following principles, then these problems can be avoided through converting zero-sum games into games that players both gain positive outcomes:

- [i] Identification of fundamental right and freedoms,
- [ii] Determination of political rights and freedoms,
- [iii] Determination of economic rights and freedoms.

⁶⁰ Hamlin, “Reasoning about Rules,” 68–87.

⁶¹ Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan*, 72.

It should be noted that constitutions are adopted in democracies with political perspectives in mind. That is, constitutions are defined as sets of principles that determine the states' basic political structure, administrative form, political rights, freedoms and organization of institutions. So, the first two principles mentioned above can be found in most of the present constitutions. However, economic rights, powers and responsibilities of individuals and of political institutions are briefly discussed in the constitutions but never given due attention. Buchanan draws attention to this fact and claims that the constitution makers cannot ignore the basic inclination of human beings, rational actors as utility maximizers, and they must include the economic constraints for individuals and political institutions to keep them in line with the laws. Therefore, the constitutional political economy examines normative principles for the two main points: [i] the economic rights, powers, duties and responsibilities of the political authority; and [ii] the economic rights and freedoms of individuals. These two points are based on the assumption that democracy is an ideal form of administration.

Another difference between the traditional democracies with or without a constitution and the constitutional democracies that are governed according to economic incentives is that constitutional democracies have fiscal and non-fiscal constraints that force the individuals as well as the governments to remain within the borders of the constitution. Any state which is governed by democracy and which has a constitution can claim to be a constitutional democracy but it is also possible for a state to have some governing rules which can be named as a constitution.⁶² If a constitution cannot effectively protect the rights and freedoms of individuals, it can only be considered as a "symbolic constitution" that is filled with hopes and wishes. Being aware of this situation, Buchanan and Brennan set up fiscal and non-fiscal constraints for the governments to be entitled for constitutional democracy:

⁶² Gordon Tullock, "Constitution," *The Encyclopedia of Public Choice*, eds. Charles K. Rowley and Friedrich Schneider (New York: Kluwer Academic Publishers, 2004), 104.

Our concern in this book is with the fiscal constitution, with alternative means of constraining government's power to tax and to spend. We are not directly concerned with nonfiscal constraints on governmental powers, whether these be constitutionally or otherwise imposed. Our analysis would, however, be seriously incomplete if we did not recognize the relationship between fiscal and nonfiscal constraints. The potential substitutability between fiscal and nonfiscal constraints keeps us from claiming that the former are in all circumstances absolutely essential for keeping governments within appropriate limits.⁶³

Buchanan and Brennan primarily focus on the issues of fiscal constitution such as tax, budget and government expenditures, but they feel compelled to mention the necessity of non-fiscal constraints even if "indirectly" to "keep governments within appropriate limits."⁶⁴ To this aim, regular elections to choose leaders are ways to monitor governments since elections provide the possibility of losing power, prestige and benefits. But it is clear that these are not enough to constrain opportunistic politicians if they refuse to yield to election results or if they are satisfied with one term ruling with illegitimate gains without punishment. Thus, just fiscal measures are not enough, the electoral process and other legal limits need to be regulated and protected by the constitution.

In sum, the constitutional economic theory argues that the basic principles for a peaceful society in which people cooperate and live together by trusting each other should be clearly stated, and further the constraints and limits on governments along with their responsibilities to citizens should be identified in the constitutions. Such governments that have clearly determined and defined limitations are protective states in which freedoms are guaranteed in contrast to the Hobbesian Leviathan. Finding themselves in a prisoners' dilemma situation,

⁶³ Brennan and Buchanan, *The Power to Tax*, 181.

⁶⁴ Ibid.

individuals voluntarily exchange their benefits and then create a protective state, not a productive one. In this way, unlike Hobbes, Buchanan considers that the solution for anarchy is not a powerful and coercive government, on the contrary, it is a limited and constrained government, since the rights and freedoms of individuals can be protected only by limiting the state's power and authority. Furthermore, Buchanan differs from Hobbes in thinking politics as a voluntary exchange, not a power struggle. People can identify the principles of good government through compromises and agreements.

4.2.5. Quis Custodiet Ipsos Custodes?

In the last section, I suggest that the appropriate approach to governments is to think them as an aggregation of individuals who hold authority to implement rules and laws. Furthermore, it is argued that policymakers as rational players are self-interested and utility-maximizers; they exchange benefits for reelection. Even though they may claim to pursue public goods, in fact, they trade for their own benefits, and they may even use coercion upon citizens when it is advantageous for them to do so. Occasionally, they may behave with altruistic motivations but in general they primarily go after their own benefits, causing governmental failures that are detrimental to democratic goals. This situation, then, reminds us a question in Latin “*Quis custodiet ipsos custodes?*” meaning “Who will guard the guards?” This can be understood as a critique of the tendency of governments to expand, since expansion causes more guards and officers who hold positions in the government. The question can also be interpreted that whoever is in charge they need to be inspected by another to keep him/her within the limits defined by the constitution. So the problem is to find out the solution: placing a person in the hierarchy as guard or determining fair rules that are applicable for decision making.

Although the government has a right to limit, monitor and discipline the governors, the Hobbesian social contract does not offer a specific control mechanism for the officers and authorities after the social contract. There is no

structure to force the sovereign to remain within the limits of the social contract or the constitution. For example, if a ruler disobeys the rules of the constitution, who will prevent the ruler from this? Contracts can limit the rulers only if they are willing to abide by rules and limitations. Otherwise, the authorities have a power to change the contracts and have a tendency not to share their power. If that is the case, what is the guarantee of a leader to remain within the limits of the system? In other words, why should we treat the rulers differently from people, trusting one and distrusting the other? These questions make us look for the form of government that is optimal in terms of limiting the authority of the rules and preventing them from exceeding their authority.

To form a government, scholars of PCT assume, a bargain is needed between the external and internal costs in a democratic system. The balance of these types of costs determines the optimal form of government. Taxing cigarette users is an example of external costs. This tax is imposed to meet the social and health costs of smokers. Since the majority is not eager to pay the costs of smokers, external costs are directly imposed upon smokers. Another example is a factory which pollutes the environment and harms the individuals who live nearby. Although it emits such environmentally hazardous substances, it does not bear the full cost of the damage which it incurs. In that case, the government is expected to impose some sanctions on the factory such as environmental tax to meet the costs or to make rules to limit its emission, etc. Internal costs, on the other hand, involve the costs stemming from the process of making a decision such as getting information, spending time and calculating the alternatives. When we inquire which computer to buy, when we decide which university to go, when we chose which candidate to vote, etc. we are all incurred with internal costs.

It can be argued that considering the examples of internal and external costs, different kind of governments can cause different amount of costs for individuals. If that is the case, then the optimal form of government must be the one that reduces the costs of governing which include rent-maximizing

policymaking, opportunism, tax increases, distributive systems etc. This means that “an individual rationally would choose to abide by a vote ratio that minimized the sum of his expected external costs and his expected decision-making costs from collective action.”⁶⁵ Buchanan argues that individuals can calculate alternative governmental systems and prefer a decision-making mechanism which reduces the costs.

Direct democracy, for example, requires great amounts of internal costs, since individuals are supposed to adopt rules and laws in an unmediated way, that is, without representatives. This makes the direct democracy far from being the optimal option among others; since it does not seem realistic in today’s societies that every individual will participate in every decision of the government with full information. Even though we assume individuals as rational and informed, they cannot be expected to make a cost and benefit analysis on every decision making issue. Because of these constraints, direct democracy does not seem to be an attractive option in comparison with representative democracy.

Representative democracy, on the other hand, requires controlling governmental activities regularly and this can also be costly for individuals. Representative democracies are assumed to hold free discussions over problems and to make collective decisions about them. However, these decisions cannot be directly put into effect but must only be transmitted through chosen representatives who gain the majority vote in elections. In that sense, the system is based on the representation of voters and responsibility towards them. These features make representative democracy a better system in terms of reflecting the preferences of individuals and reconciling different interests of the political actors.

Throughout the history of philosophy, many philosophers defended the majority rule as an ideal voting mechanism in the representative democracy. As a

⁶⁵ Charles K. Rowley, “Public Choice and Constitutional Political Economy,” 4.

recent author, Jane Mansbridge notes, “majority rule, once an incomplete substitute for full consensus, is now almost synonymous with democracy itself.”⁶⁶ Although the majority voting rule is widespread and commonly approved, there is always a possibility for the tyranny of majority.

The PCT is very sensitive to tyranny caused by aggregation of individual preferences in collective decision processes. The theory assumes that “even though every individual may have a clear preferences ranking of all alternatives before us, we may not be able to convert these individual rankings into a collective ranking.”⁶⁷ In addition to limiting the power of the rulers, Buchanan aims to find a way to restrain the majority from seizing freedoms and rights of minorities. He suggests that a method that would make preferences chosen in a non-majoritarian manner would be a solution. Once this is achieved, a government of a complex society would be coherently democratic.⁶⁸ That is why constitutional political economy is also called “protectionist democracy” by Buchanan. The following paragraph explains this idea:

Governments are viewed as exploiters of the citizenry, rather than the means through which the citizenry secures for itself goods and services that can best be provided jointly or collectively. Both the modern analysis and the observed empirical record suggest that governments have, indeed, go out of hand... I noted earlier that the fallacy of the 19th and 20th century political thought lay in an implicit faith that electoral constraints would alone be sufficient to hold the Leviathan-like proclivities of government in check. The experience in Western nation since World War II has exposed this fallacy for what it is. And we are now seeking to reimpose constitutional limits on

⁶⁶ Jane Mansbridge, “Living with Conflict: Representation in the Theory of Adversary Democracy,” *Ethics: Symposium on the Theory and Practice of Representation* 91 (1981): 466-476.

⁶⁷ Russell Hardin, “Public Choice versus Democracy,” *The Idea of Democracy*, ed. David Copp et al. (Cambridge: Cambridge University Press, 1993), 157.

⁶⁸ *Ibid.*, 169.

government over and beyond those exercised through democratic electoral constraints.⁶⁹

This claim is an explicit challenge to those “who almost universally at that time endorsed the normative advantages of majority rule.”⁷⁰ Even if democratic governments are suggested as a provider of a better life than state of nature, sometimes the simple *majority rule* causes extra problems.

As we discussed previously, Buchanan’s point, at the beginning, was to get unanimity consensus for collective decisions. He believed that unanimity rule reduces the costs of democracy which stem from the majority’s oppression on minorities. If it is possible to reach unanimity, then fair and clear rules can be implemented. These rules reveal the proper behavior. The main idea of constitutional politics, then, is to find the appropriate rules and behavior to establish a just society. However, since the unanimity rule does not seem realistic in the case of large scale elections, and since it takes more effort to reach a consensus over a set of issues on which all individuals would agree, Buchanan relaxed the strict rule of unanimity by accepting qualified majority.⁷¹

After the criticism of unanimity rule, the main concern of Buchanan became the risk of tyranny of majority. His worry is that voting procedures in democracies could produce incoherent conclusions by ignoring the wills of individuals. Further, the interests of the representatives do not always overlap with the interests of voters. Not only voting problems but also the system of representation increases the concerns about costs, causing ineffectiveness of the government. In order to represent, the politicians need votes, and once they get

⁶⁹ Buchanan, “Politics without Romance,” 58.

⁷⁰ Charles K. Rowley, “Public Choice and Constitutional Political Economy,” 4.

⁷¹ James M. Buchanan, *The Demand and Supply of Public Goods* (1999) <http://www.econlib.org/library/Buchanan/buchCv5c6.html>.

their votes, they feel that they are obliged to do whatever voters want. That is why Buchanan introduces the constitutional political economy as based on social consensus. From his considerations, it can be claimed that social consensus and protection of rights are strengthen each other. Indeed, the more we reach social consensus, the more we are able to protect the rights of individuals. It is not possible to speak about social consensus and the unanimity principle in a society, if the rights of individuals are ignored. Therefore, the PCT carries the liberal idea a step further and claims that while the first thing to do is to limit functions and duties of governments in a constitutional level, the most important task of the government is to implement rights of individuals. These rights also include referendum, participation in state administration, public veto, recalling of representatives. Although the PCT asserts the significance of the constitutional analysis, the theory has not gone very far towards articulating the real rules and articles of constitutions except taxation.⁷²

4.3. Application

This section, by applying PCT's idea of constitutional political economy to the culture and identity, tries to introduce the concept of constitutional cultural rights as a framework in which cultural actors can limit themselves and determine their cultural rights through constitutional rules.

In recent decades, the need to revise and to reform the policies concerning culture and cultural rights has gained urgency.⁷³ This need urges us to look for a comprehensive perspective about the relation between culture and politics and to figure out the impact of the policies on daily life of the citizens. The lack of a

⁷² Russell Hardin, "Constitutional Political Economy- Agreement on Rules," *British Journal of Political Science* 18 (1988): 528.

⁷³ For discussion of cultural rights see Yurdağül Adanalı, "Kamu Tercihi Teorisi Bağlamında Kültür ve Kültürel Haklar" (Expertise Thesis, Ministry of Culture and Tourism, 2011).

rationality approach towards culture, cultural rights and state institutions is the most important aspect that we need to focus on.

Most liberal theories, in dealing with rights issues have emphasized their social and economic aspects. It is my belief that culture, cultural rights and their relation to political structures and institutions are the issues that require our immediate attention in terms of rationality, choice and decision. With this in mind, I will introduce a model as an application of the PCT, the *constitutional cultural rights* as a possible alternative to culture policy. I would like to note that here I am exclusively concerned with the written constitutions and I will try to propose new suggestions for them. Whether this new model delivers what it promises will be the subject of 4.4.

Before going into the details of the application, I would like to mention briefly the main aim of the constitutional economic theory, which the PCT has labored on, which is to keep the state within constitutional limits. I will argue in this section that the state must be limited also with regard to culture and cultural rights. Until now, cultural rights along with economic and social rights were considered under the same category as positive rights which the state is held responsible for their fulfillment. Furthermore, in contrast to this approach, under the concept of constitutional cultural rights, I will argue that cultural rights must be seen within the same category as negative rights and they must be immune to state interference. Finally, I will apply the PCT to the domain of culture and cultural rights as a model and use the insights reached in the recently developed literature on cooperation and conflict resolution with the hope of transforming the rights discourse to a higher level which may offer solutions that resisted numerous attempts so far. My overall aim is to search for a comprehensive and rational theoretical model for the issues of culture and cultural rights which is applicable to policy making.

More specifically, I will try to construct the application to analyze whether it provides a solution to prevent governments from intervention to cultural domain

and to consolidate cultural rights for both majorities and minorities in constitutions. So, the question is: What is the strategy to avoid cultural failures and to reach an acceptable constitution agreed by every member of the society who has different identities and cultural belongings? Thus, this section tries to suggest that there is a meaningful purpose to find a strategy to avoid conflicts by applying PCT to the culture and identity.

4.3.1. Culture and Identity in Constitutions

In 1989, Jennifer Roback finished her paper with these wishes: “Race-neutral law would be far more desirable than a system that can be bent to favor some groups at the expense of others. It is an open question whether it is actually possible to devise a set of constitutional restraints that would provide an enduring system of color-blind law. But it is the correct question to ask.”⁷⁴ It would not be wrong to say that this question still needs to be answered. I agree with Roback that it is a crucial goal to find regulating rules and norms for all members and actors of the society. Constitutions, in this regard, appear as most appropriate and consented documents in today’s world. There is a twofold relationship between constitutions and cultural identity that can be drawn from the debates in political philosophy: [1] cultural identity as the framework and [2] cultural identity as the content of constitutions.

With regard to [1], it is assumed that nearly every constitution is framed by a specific identity and culture of a nation. Namely, the articles of the constitutions are identity-based and expected to be compatible with the approved principles of culture and identity of a given society since constitutions are constructed “to institutionalize the spirit of the traditions, values, institutions, and the founding revolution of a particular people.”⁷⁵ This framework defines citizenship as based on

⁷⁴ Jennifer Roback, “Racism as Rent Seeking,” *Economic Inquiry* 27 (1989): 680.

⁷⁵ Ulrich K. Preuss “The Politics of Constitution Making: Transforming Politics into Constitutions,” *Law & Policy* 13 (1991): 107–123.

cultural similarities in one territory. In this sense, most people find it difficult to create a constitution for a society, at least in European systems, without determining a specific national identity, which is believed to be necessary to unify diverse populations.⁷⁶

The second relation is the culture and identity as content of constitutions [2], which I will engage mostly in this section. Including the principles of national culture and identities, constitutions rely on the capability of individuals to live and to follow these principles by generating territorial integrity as a nation. In addition, constitutions require the power of government to safeguard and promote these activities by allocating budget and giving technical support when it is needed. So, the inclusion of these principles in the constitutions assumes both individuals and government, and entails certain reciprocal duties, if they want to build a nation. For some scholars, this reciprocal relation provides the following advantages: the imposition of broad obligations on government to give effect to cultural rights in its policy-making; further makes it clear that cultural, civil and political rights are of equal status and importance.⁷⁷

However, the concerns, for others, are more serious than advantages. One of them is whether this inclusion aims a realization of a homogenous nation, which seems to be far from the reality of the modern world. In that sense, some constitutions express themselves as formal documents to determine the constraints and practices of the institutions and identify citizens homogeneously with their social and cultural features. In other words, the modern national constitution

⁷⁶ Some researchers argue that, in USA, the question of state's identity is strange. For details see: Dorothea Frede, "Citizenship in Aristotle's Politics," *Aristotle's Politics: Critical Essays* ed. Richard Kraut and Steven Skultety (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2005), 170.

⁷⁷ Aoife Nolan, "Holding Non-State Actors to Account for Constitutional Economic and Social Rights Violations: Experiences and Lessons from South Africa and Ireland," *International Journal of Constitutional Law* 12 (2014): 61-93.

makers suggest that as if individuals come from the same ethnos pre-constitutionally in the state of nature and then decide to form a government.

In fact, the homogenized constitution makers are not interested in the discussions on the source of culture and identity but they just presuppose that if people form a government they have the same ancestry. This kind of essentialism primarily aims to protect presupposed national characteristics and symbolic features through constitutions. However, the Habermasian procedural constitution, contrary to the homogenized version, tries to overcome diversities of culture and identity through communicative actions. Habermas' alternative view, *procedural constitution*, "does not refer to the substantive generality of a popular will that would owe its unity to a prior homogeneity of descent or form of life. The consensus fought for and achieved in an association of free and equal persons ultimately rests only on the unity of a procedure to which all consent."⁷⁸

All these debates create an expectation that a fair constitution should be identified with three principles: limited government, adherence to the rule of law and to separation of powers, and protection of basic rights. While acknowledging these principles' vitality, the PCT adds to them the determination of economic rights and freedom as previously explained. By applying this suggestion of the PCT, the following paragraphs aim to add the determination of cultural rights. However, this does not mean that we fix the culture and identity through constitutional constraints. Rather, there are undeniable examples that opinions differ as to appropriate behavior, or customs and cultural elements, which members of a group have achieved consensus, and are subject to change over time.⁷⁹ Then the goal of the discussion is to determine the restriction on the players and the rules of the game for the fair distribution of power among governmental institutions and

⁷⁸ Jurgen Habermas, "Citizenship and National Identity: Some Reflections on the Future of Europe," *Theorizing Citizenship*, ed. Ronald Beiner (New York: State University of New York Press, 1995), 496.

⁷⁹ Roback, "Racism as Rent Seeking," 665.

individuals. This will lead to specific principles of culture and identity in constitutions that can be developed and debated as to whether they are applicable or not.

Cultural rights are taken for granted in national and international documents as positive rights similar to social and economic rights.⁸⁰ First, we need to begin by questioning this suggestion. How shall we understand the concept of cultural rights? What do they include? Are there positive cultural rights that open themselves to state intervention? Do cultural rights consist solely of negative rights?

The classification of rights as negative and positive is one of the most commonly debated topics in the modern political philosophy; but rather than getting into this debate, I will focus on the dichotomy of positive and negative rights with cultural rights in mind. The philosophical basis of negative rights view denies the state the permission to limit individual rights, and the view has its roots in the natural rights theory of the medieval ages.⁸¹ According to the natural rights theory, the individuals, independently of the space, time, and social relations or status, have rights that are universal and unchanging. The basic assumption of the negative rights is the idea that each person knows his or her interests best, and the state should not determine what rights and liberties the individuals have. Those who support the negative rights view argue that the scope of individual liberty

⁸⁰ The United Kingdom and The United States of America do not have social, economic, and cultural rights in their constitutions.

⁸¹ The natural rights theory has come under heavy criticism recently. One such criticism indicates that since natural rights theory infers “ought” from “is”, it can be justified neither logically nor empirically. Another criticism directed against the natural rights theory by Alasdair MacIntyre claims that there are no natural rights. The belief in them is as nonsensical as the belief in witches and mythical creatures. MacIntyre believes that what gives meaning to the lives of individuals are not abstract rights but preexisting social forms and he gives priority to “good” over “right.” According to him, what solves conflicts are values not rights; the debate about rights can only lead to further conflicts. Similarly, logical positivism which was influential in the early 20th century has influenced the debate on rights in a negative way. Logical positivists claimed that statements about rights cannot be verified, therefore they are meaningless. For details, see Norman P. Barry, *Introduction to Modern Political Theory* (New York: Macmillan Education, 1989), 27.

decreases when the space of the individual preferences narrows.⁸² We find a similar definition of negative rights in Frederic Bastiat's classical book *The Law*. He notes that "it is not true that the function of law is to regulate our consciences, our ideas, our wills, our education, our opinions, our work, our trade, our talents, or our pleasures. The function of law is to protect the free exercise of these rights, and to prevent any person from interfering with the free exercise of these same rights by any other person."⁸³ Then negative rights theory claims that natural rights precede the formation of state, and that the state cannot interfere with these rights; the best it can do is to recognize them and take necessary measures for their protection and proper application. No reason or explanation can be provided by the state to justify the removal of the natural rights. The sole responsibility of the state is to guarantee negative rights and guarantee freedoms, and prepare the conditions in which these rights are cherished by the citizens.

Georg Jellinek treats rights in three different categories as regards to their "status": (i) negative status rights (ii) positive status rights, and (iii) active status rights. The first two of these divisions roughly corresponds to the dichotomy of negative and positive rights.⁸⁴ Georg Jellinek treats the relationship between the state and the individuals entirely from the status rights point of view. According to him, the main aim of the basic rights is to protect the freedom of the individuals against the state interference. In the negative status, the individual has the right to defend himself or herself against the state interference. As in the natural rights, the negative status rights and freedoms, according to Jellinek, exist prior to the formation of the state and are not provided by the state to the individuals. The state is expected and held responsible to solve the conflicts that may arise from the

⁸² Barry, *Introduction to Modern Political Theory*, 225-232.

⁸³ Frederic Bastiat, *The Law* (New York: Foundation for Economic Education, 1998), 68.

⁸⁴ Georg Jellinek, *The Declaration of the Rights of Man and of Citizens: A Contribution to Modern Constitutional History* (New York: Henry Holt and Company, 1901), 20.

exercise of these rights. Thus, while the individual has an unlimited negative status of freedom, the state interference is limited and open to scrutiny.

However, I believe that there is a deeper problem that underlies the classical negative-positive rights division: the state interference. It is not realistic to argue that the state should interfere with rights. But, to give priority to positive rights, particularly during the economically and financially difficult times opens the way to a series of problems such as political bargaining, free riding, political failure, which we have examined in the previous chapter. There is no reason why similar problems should not arise regarding cultural rights, if the state is given the right to interfere and it is seen as the guardian of the cultural rights. Therefore, if we consider cultural rights as positive ones, we allow all kinds of state intervention for the fulfillment of attain these rights.

Jellinek considers cultural rights in the same category with economic and social rights and treats them as positive status rights. His reasoning is that individuals can place certain demands on the state concerning them. The positive status rights are the kind of rights that permit the individuals to ask certain services and supports from the state. The state, in this regard, is responsible to distribute some of its resources equitably among the citizens in order to meet their material and immaterial needs without any discrimination.⁸⁵

In brief, until now, the pervasive tendency has been to classify economic, social and cultural rights along with positive rights, rather than with negative ones. In contradistinction to negative rights, positive rights have opened a space for the state involvement and interference. According to this understanding, it is the responsibility of the state to regulate rights, positive or negative, and to promote public good through their proper application. This is just the theoretical framework that leads to think cultural rights as positive ones, but this is not the only reason.

⁸⁵ Ibid.

4.3.2. Culture and Identity in the International Declarations

The international documents and conventions encourage states to classify cultural rights along with social and economic rights. Therefore, an explanation why cultural rights are categorized along with positive rights is that the confusion and ambiguity that inflict the concepts culture and cultural rights have not been clarified to the satisfaction of all in the international legal documents and laws that are drafted in accordance with these documents.

The Universal Declaration of Human Rights is perhaps the most important document that makes reference to culture and cultural rights,⁸⁶ along with the International Covenant on Economic, Social and Cultural Rights,⁸⁷ and the International Covenant on Civil and Political Rights.⁸⁸ Of course, no one denies that these documents that are the subject matter of international law and international relations have important political and social consequences.⁸⁹ It is also true that the organizations or institutes that have been formed within the framework of the United Nations and the European Council have been instrumental in creating an international awareness with regard to these rights and their implementation. The international law that was formulated around these documents has become a powerful institution that limits the absolute power of the states. In other words,

⁸⁶ UDHR (1948)

⁸⁷ ICESCR (1966)

⁸⁸ ICCPR (1966)

⁸⁹ The concept of human rights prior to the developments of international documents and covenants, and their sanctioning at an international level were mainly considered a domestic issue. Beginning with the 17th century, the theory of rights as innate and inalienable was philosophically debated and the debate was extended to include the constitutional and legal systems of the state. But the need for an international coverage for protection of these rights was not felt until the last century. Nevertheless, during the Second World War and its aftermath, the upsurge of totalitarian regimes and the intellectual interest in rights issues along with a general feeling about the urgent need for their the protection of rights at the international level has become imperative.

membership in the international institutions and ratification of the international legal documents are signs of self-restraint by the states over a number of areas.

Nevertheless, the conceptual complexity of the terms culture and cultural rights in these international documents indicate that confusions still persists at the level of the states, and national and international organizations. This complexity and confusion provides us an opportunity for questioning whether these documents and covenants are able to meet their promises with regard to eradicating conflicts and ameliorating injustices in the sphere of rights. For example, according to the article 27 of the Universal Declaration of Human Rights which includes both positive and negative rights, the cultural rights of the individuals can be listed as follows: [i] Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. [ii] Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. [iii] Everyone has a right to participate freely in the cultural life of the society, enjoy art and share the benefits of scientific progress and its advantages. These rights and privileges were commonly understood as that people have a right to visit museums and exhibition halls, and to go to the concerts, to use the libraries, to visit the research centers in order to learn the scientific facts and discoveries, etc. According to the Declaration, in order to make these rights and activities available, the states have certain responsibilities to fulfill.

The states are responsible for providing certain opportunities that facilitate the participation of the society in cultural life, to put new technologies to the service of the citizens, to provide financial support for the cultural and artistic activities and programs. The fact that the states are held responsible by the Declaration for these tasks is a clear indication that the document considers these rights as positive rights. But the tasks that are placed on the states also legitimize their interference with regard to cultural rights (article 22).

Furthermore, it is not clear, as a right, what “to participate in the cultural life” means. The article 27 does not also make it clear whether everyone has a right to participate in the cultural life of his or her own community or in a homogeneous culture which is open to everyone. Moreover, the article disregards the fact that an individual has also a right not to participate in the majority culture.

In societies, where individuals do not enjoy their negative rights (i.e., the right to be free from participating in the majority culture), there is certainly coercion. In short, the Declaration treats culture and cultural domain as the subject of positive rights, and assumes an outdated division which I believe is invalid with regard to rights discourse, and at the same time, it does not clarify the concepts that it makes reference to in a way that would avoid misunderstanding.⁹⁰

Another international document that makes reference to cultural rights is the International Covenant on Economic, Social and Cultural Rights (ICESCR). This document has a similar approach to the rights as the UHRD did. According to the article 15, the countries that ratify the covenant recognize “the right of everyone: (a) To take part in cultural life; (b) To enjoy the benefits of scientific progress and its applications; (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. The countries that are party to the covenant are responsible to take the necessary measures to protect culture.”⁹¹ The document, however, is silent on what these necessary steps are. In any case, it is clear that the document sees cultures within the domain of positive rights by holding states responsible for their protection, preservation and giving permission for interference as the states see it fit.

⁹⁰ Rolf Künemann “A Coherent Approach to Human Rights,” *Human Rights Quarterly* 17 (1995): 323-342.

⁹¹ Roger O’Keefe mentions two responsibilities that the states must fulfill: first, financial support of the culture; second, providing freedom to creative acts. For more detail, see. Roger O’Keefe, “The ‘Right to Take Part in Cultural Life’ under Article 15 of the ICESR” *The International and Comparative Law Quarterly* 47 (1998): 907 and ff.

Another international document is the International Covenant on Civil and Political Rights (ICCPR). This document differs from the other documents in its emphasis on the rights of minorities. According to article 27 of the agreement, “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” This article emphasizes securing the group rights rather than the cultural rights of the individuals, and at first sight seems that it differs from the other two documents mentioned above in its treatment of rights at the level of the individual.⁹² This can be seen from the rest of the article that makes a reference to cultural rights as at a more personal or individual level: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” The new documents and further developments, however, did not prevent a series of discussions around the complexity and ambiguity the documents creates.⁹³ It remains today one of the thorny questions in modern debates whether culture is to be considered as a group or an individual right.⁹⁴

The main problem with the international agreements is the tacit assumption of a political structure for rights and freedoms within the framework of positive rights and to think that these rights can only be realized by the state and that they cannot exist prior to or outside of the state. This view may be extended to the economic and social rights that are generally included among the positive rights;

⁹² Vernon Van Dyke, “The Cultural Rights of Peoples” *Universal Human Rights* 2 (1980): 2.

⁹³ Künnemann “A Coherent Approach to Human Rights,” 328.

⁹⁴ For discussions see Joel E. Oestreich, “Liberal Theory and Minority Group Rights” *Human Rights Quarterly* 21 (1999):108-132.

such political structure which is assumed by these documents, however, may open the door to a theory of state whose roots goes back to Aristotle. According to this traditional political theory, the state is the only means for people to flourish, to achieve self-fulfillment, to progress and attain virtues and to be happy; accordingly the state with this kind of political structure is the institution that provides us our humanity. The same understanding tax the state with an infinite number of duties ranging from protecting its citizens, guiding them towards good and useful ends, to rewarding and punishing them.

These problems stem from misplacing cultural rights along with positive rights. Culture and cultural rights do not need any state to be recognized and neither do they come into existence after the formation of the state. Hence, in principle, the state must be restrained from interfering in the domain of cultural rights as it has been restrained in the domain of negative rights. This however does not mean that the individuals have unlimited and unrestrained freedoms and rights. As we have argued before, the theory of constitutional cultural rights are restrictive both for the individual and the state.

So my conclusion is that in order to avoid the mentioned problems, it would be better to consider cultural rights as negative rights in constitutions, differing from the traditional understanding. Before the discussion of content of constitutional cultural rights, however, I would like to draw attention to two further points implied by the PCT; this is necessary to justify the constitutional rights. One is costs of culture and identity, and the other is the majority problem.

4.3.3. Costs of Culture and Identity

Each demand, each claim and each argument concerning culture and identity necessarily entangles itself with political power and power relations. Global and local dynamics show that the political aspects of culture and cultural rights cannot be easily dismissed or disregarded, and they have a high rate of survival and come back. But looking at culture and cultural rights with political and legal spectacles

creates as much problems about culture as it solves. We need a new approach, which is not necessarily non-political or non-legal, but receives its legitimacy beyond these domains. With this aim, the application will focus primarily on what individuals, groups, and governments have to pay for culture and identity from the perspective of choice theories. Although the shared culture and identity bring benefits such as satisfaction motivation, feeling safe and secure communication, the costs, as the neglected aspect of the cultural domain, need to be analyzed to explain cultural behavior convincingly.

It is generally assumed that culture and identity, as sources of both private and collective goods, produce satisfaction to individuals who pay for them. However, the effects and costs of collective decisions and collective actions in these matters are mostly ignored. What do people have to pay for this satisfaction? The challenge in answering this question is to find a Pareto optimum strategy; that is, one player can be better off without worsening other players.⁹⁵ Before facing this challenge, I would like to explain, following the application of the PCT to culture, what the costs of culture and identity that all rational actors have to pay to a certain extent are. With this aim, without going into too much detail, I will mention some examples of costs arising from different relations among individuals and governments.

First of all, almost all individuals start to pay for culture and identity almost from the moment they are born. They are supposed to obey cultural norms and rules if they want to build social networks or if they choose living in a familiar environment. This can be named as the *cost of avoiding social alienation*. This is the significant cost that individuals are forced to pay in accordance with their choices, since a pre-existing model not only provides easily accessible alternatives but also strictly limits them. How this pre-existing nature of culture works is explained in the following quote:

⁹⁵ Roback, "Racism as Rent Seeking," 662.

It structures and shapes the individual's personality and gives it content or identity. Culture embeds an individual within, and makes him or her identify with a particular group of people... In addition, every culture is also a system of regulation. It approves or disapproves of certain forms of behavior and ways of life, prescribes rules and norms governing human relations and activities, and enforces these by means of reward and punishment.⁹⁶

If the pre-existing determined culture and identity are promoted and embarked on individuals by governments through constitutions, then the costs would be heavy for them. Being labelled as rebellious among the others would not be hard unless one follows the determined principles of the constitution. In other words, "those who fell on the wrong side of the identity boundary were in perpetual danger of being invaded, expelled, enslaved, carpet-bombed, or exterminated in camps" by governments.⁹⁷ This kind of rule mostly is created by modern states to reflect the specific characteristics, aspirations, and homogeneity of the society. Hannah Arendt describes this situation "as conquest of the state by the nation,"⁹⁸ since for her while a nation is a closed society state is an open society.⁹⁹

Not only discriminatory constitutional rules forced by governments but also cultural discriminations between individuals are costly. This is interesting because people usually believe that if they do not contact "strangers," they will gain in terms of security. Gary S. Becker explains this as follows: "An employer may

⁹⁶ Bhikhu Parekh, *Rethinking Multiculturalism* (Cambridge: Harvard University Press, 2000), 156.

⁹⁷ Nihal Türküler Işıksel, "Europe's Functional Constitution: A Theory of Constitutionalism beyond the State" (PhD diss., Yale University, December 2010).

⁹⁸ Hannah Arendt, "The Nation," *The Review of Politics* (1946): 138-141.

⁹⁹ Ronald Beiner, "Arendt and Nationalism," *The Cambridge Companion to Hannah Arendt*, ed. Dana Villa (Cambridge: Cambridge University Press, 2002), 44-62.

refuse to hire Negroes solely because he erroneously underestimates their economic efficiency. His behavior is discriminatory not because he is prejudiced against them but because he is ignorant of their true efficiency.”¹⁰⁰ However, if the members of the society trust and cooperate with each other, social and economic relations will operate efficiently and individuals will exchange their benefits with a broad group of people to make more. Otherwise, the exchange and transactions will be more costly since additional effort need to be made to ensure safety.

Governments pay costs for their decisions regarding culture and identity. First, recognizing cultural autonomy of minorities at governmental level is costly, because the existence of different identities in a nation causes limitations to develop a uniform and common identity to control majorities easily. If these recognized cultural groups support the ruling party, governance in multicultural nations will be more difficult. Specifically, since the party will prepare its program to reward its supporters, this will bring a considerable confusion about the performances of the government. Recognizing other ethnic and cultural groups requires compromise from other members of the society, because it limits some projects and policies that can be beneficial for all, i.e. developing intercultural dialogue may seem risky for small cultural groups. These attempts are mostly precluded by minorities on the grounds that they will lose their characteristics.¹⁰¹ Second, at the level of majority, implementing national cultural policy documents may cause overspending of government for cultural activities instead of private sector. In these documents, governments commit themselves to facilitate cultural developments and promote national heritage, tourism, art, craft and other cultural

¹⁰⁰ Gary S. Becker, *The Economics of Discrimination* (Chicago & London: The University of Chicago Press, 1971), 16.

¹⁰¹ Joshua Broady Preiss, “Multiculturalism and Equal Human Dignity: An Essay on Bhikhu Parekh,” *Res Publica* 17 (2011):143.

activities through national or local activities for majority. All these commitments aim for building a nation around one culture and identity. Here I have briefly mentioned different types of costs caused by cultural policies and relations between individuals. In the next section, I will continue to the application by analyzing group rights in the framework of majority problem.

4.2.4. The Risk of Majority Rule in Divided Opinions

Choice theories demonstrate us that there is a risk of tyranny of the majority, resulting from the failure of converting individual's rational preferences to collective decisions even in democratic governances. I will try to show that how this same risk concerns the issues of cultural behavior as well, although theorists of the PCT have limited themselves to the issues of taxation and economy so far.

One case would be that individuals having similar cultural identity may prefer to behave in a similar way to avoid the costs of social alienation. Even if rational choice obliges the utility maximization and defection rather than cooperation, people may choose to collaborate for their self-interest by experiencing iterative games. In fact, collective action generates more benefits that may not be provided by atomic individuals' acts. If those people constitute majority and decide to behave in a similar way as a block, for example in an election, in order to shape political structure according to their desires, then this may create a threat of *majority rule* in divided opinions, as it is explained by Jon Elster:

They are complicated, however, by another basic fact of political life: Even when groups act to promote their interest, they tend to argue publicly in terms of impartial values. When large parties argue for majority voting, they do not refer to the interests of large parties but to the interest of the country in having a stable government. Conversely, small parties arguing for proportional elections do not refer to the interests of small parties but to the values of democracy and broad representation. Parties with a strong presidential candidate regularly argue in terms of the

country's need for a strong executive. Other parties refer instead to the dangers of a strong executive.¹⁰²

In this quote, Elster draws attention to another neglected point, that is, the intertwined nature of having the status of majority and using the public good argument to keep power. We have already said more about the criticism raised against sharing the public good in the last section. Here I want to dwell on the majority problem for culture and identity in order not to fail to capture the relevant features of cultural behavior. Interestingly enough, in the literature of culture and identity, minorities and cultural groups are seen as the main controversial issues. The debates revolve around how minorities and groups are managed or how they are integrated. However, the application of the PCT shows that the problematic issue is the majority which carries a possible threat to democracy. This threat requires the explanation first of all whether the owners of cultural rights are individuals or collectivities.

The common view suggests that cultural rights are group rights in declaring that only the members of cultural groups possess cultural rights. In other words, cultural rights can be obtained and identities can be sustained only through activities of cultural groups. Today, national and international institutions seem to hold this view, as they are open to negotiate the rights with groups and their representatives. In addition, under the names of freedom, multiculturalism and diversity, cultural groups are encouraged to get their autonomy, presupposing that all individuals in the group commit themselves to the same principles forever. Governments are asked to exempt certain autonomous groups from certain requirements or to provide them funds for their cultural activities.¹⁰³ However, when we ask what the sources of these rights, and what the normative justifications to assume cultural rights as group rights are, it is not easy to find an answer.

¹⁰² Jon Elster, "Forces and Mechanisms in the Constitution-Making Process," *Duke Law Journal* 45 (1995):365.

¹⁰³ Preiss, "Multiculturalism and Equal Human Dignity: An Essay on Bhikhu Parekh," 142.

One approach argues that individuals identify themselves with a group and adapt its norms voluntarily because of their inseparable character of socialization. Accordingly, they choose to live together to feel safe and to make more. Cultural groups, in this regard, are inseparable parts of the society through which individuals are socialized and associated. But, this approach still fails to provide the answer we are looking for, since it is not convincing about the reason why we have to accept a right as a group right. Unfortunately, the anthropological and sociological literature as to culture and identity is not so helpful. The researchers of the literature provide detailed singular cases to understand diverse societies and different ways of life. However, while they interpret particular cases, examples and constitutive rules, they avoid introducing general explanations from a singular instance to the set of instances.¹⁰⁴ So, they fail to satisfy for giving reasons to explain why cultural rights are accepted as group rights.

When we look from the PCT's and philosophical perspective to the issue, two problems appear; one is irrationality and the other is in/out discriminations. The first problem arises from the irrationality of considering cultural rights as inseparable from collectivities. As we previously discussed, although each individual acts rationally by the collective outcomes are subject to irrationality without appropriate rules and constraints. That is, the idea "that individual interest equals collective action or that collective action necessarily produces a collective good" is a myth.¹⁰⁵

¹⁰⁴ Mark I. Lichbach and Alan S. Zuckerman, "Research Traditions and Theory in Comparative Politics: An Introduction," *Comparative Politics: Rationality, Culture and Structure*, eds. Mark I. Lichbach and Alan S. Zuckerman (Cambridge: Cambridge University Press, 1997), 7.

¹⁰⁵ Margaret Levi, "A Model, a Method, and a Map: Rational Choice in Comparative and Historical Analysis," *Comparative Politics: Rationality, Culture, and Structure*, eds. Marc Irving Lichbach and Alan S. Zuckerman (Cambridge: Cambridge University Press, 1997), 20.

When we go in to the details, it appears that culture and identity are strategies used by rational actors to maximize their benefits. Their effects on shaping the existing social structures or mobilize the institutions are secondary. In other words, from the perspective of choice theories, when culture and identity are defined in terms of collectivities or groups, that means that they are used as strategic tools to influence public policy or to increase public mobilizations. That is, culture and identity are open to the manipulation of the group leaders to ensure greater participation in the group or to produce new meanings and interpretations that can be framed as they wish. If these leaders are at the fore without any election process, they probably use their charisma card to affect the people using cultural elements. In this regard, it is an illusion to assume that culture and identity can be understood only in terms historical and social conditions in which groups and collectivities emerged. When the roles of individuals and their rationality are taken into account as crucial and indispensable for the cultural domain, then cultural rights must attributed not only to groups but also to individuals.

The second problem of considering cultural rights as group rights brings out two different kinds of discrimination: in-group and out-group. In-group discriminations can empirically be exemplified as discriminatory behavior against those who do not want to follow the cultural principles of the group even if they are members, or against women who are traditionally situated at low-level positions, or against children etc. What makes these examples controversial is that the tendency of thinking that everything in the culture is valuable and worth preserving for next generations. In the case of women circumcision, for example, defending this practice as a cultural norm and ensure its continuity by safeguarding measures need to be examined in terms of individual rights not group rights.¹⁰⁶

¹⁰⁶ Cristina Bicchieri and Annalisa Marini, "Female Genital Mutilation: Fundamentals, Social Expectations and Change" (2015), https://mpa.ub.uni-muenchen.de/67523/1/MPRA_paper_67523.pdf

Out-group discriminations are more obvious than the in-group, since when a cultural group obtains its autonomy with rights and privileges, the world turns into black vs. white, or us vs. the other. The group constitutes itself in opposition to the other, since gaining independence and autonomy by virtue of pretension for cultural rights leads to partiality. Thus, while giving cultural rights to a group aspires to pave the way for freedom of expression and democracy, it ends up in discrimination. This situation is increasingly sharpened if a group wins its cultural rights after a negotiation process. Further, if the process succeeds and after a while if this group comes to be the majority and deserves to build a nation, then most probably it will use various governmental tools to support, enhance and promote cultural and identity practices according to the will of the majority. As long as the majority is increasingly supported, other groups will be restricted and outlawed, being pushed them to become minorities.

As a result, there is a need to inspect the cultural domain from the PCT's perspective to conceive cultural rights without in-group or out-group discriminations. Further, it is also required that given cultural rights have to contribute to an equilibrium among different members, identities and cultures to avoid the danger of the majority's potential irrationality. So, a constitutional intervention to restrain these kinds of practices cannot be called disregarding cultural rights. Then, there are good reasons to consider constraints for cultural behavior of actors.

4.3.5. Constitutional Cultural Rights: A Framework

Now I will outline the main principles of the theory of constitutional cultural rights within the light of what we have been discussing so far in terms of the PCT as a model and its application to culture and identity. The theory of constitutional cultural rights should be based on the following features:

- [i] *Each individual has cultural rights*, since culture is a right as an integral part of his or her identity and personhood. To say that a person has a right is to claim that he or she is a moral, responsible person with a capacity to make preferences convenient for him/herself.

- [ii] *Cultural rights are individual rights* and they are justified on the basis of individual interests and preferences. Despite some arguments to the effect that individual rights can only be realized within a group or society, I insist that a space of freedom, individual rational decision making, free will are as necessary as a cultural context in which the individuals can exercise their cultural rights.¹⁰⁷

- [iii] *Culture is not something that has a specific fixed essence that is unchangeable, outside space and time.* On the contrary, culture and cultural identity are historically constructed social realities that undergo continual change in accordance with individuals' choices. Since cultural identities are socially constructed, and individually chosen and adopted, the demands concerning the cultural rights cannot be suppressed or ignored with the intention of creating a homogenous society.

- [iv] *Cultural rights should be classed along with negative rights and can only be restricted with the rules upon which there is a consensus.* Rules determine the sphere of the individual rights and freedoms in social life, and thereby prevent the state violating this sphere. Culture and cultural rights must be set clearly in a framework against the violation of the individual rights and interests.

- [v] *The state as a matter of principle must restrain itself from interfering in the cultural space as it was the case with negative rights, and it should*

¹⁰⁷ Joel E. Oestreich, "Liberal Theory and Minority Group Rights" *Human Rights Quarterly*, 21 (1) (1999): 117.

accept cultural rights within the category of negative rights. I do not argue, however, that culture and cultural rights have a universal and unchanging content. What I believe is that culture and cultural rights should be a matter of preference at the level of individual rationality and liberty and that political structures are responsible for preparing the ground on which the individuals make rational and free preferences. Furthermore, I claim that my proposal is in harmony with the theory of constitutional economics advocated by the public choice scholars.

- [vi] Above considerations point out to the necessity of taking *measures through constitutions to prevent politicization of culture and identity*. The following measures to be included in the constitutions can be accepted voluntarily by all members¹⁰⁸: Decentralization of collective decision making; Regulating the redistribution from one cultural group to the poorer groups; Providing access for all members of society to resources and markets; and Reducing cultural conflicts.

4.4. Criticisms of the Application

So far, I have tried to bring together two popular topics of political philosophy, namely rational choice theories and cultural issues, and have framed cultural behavior within choice theories. I have also evaluated and criticized the application of the choice theory for cultural issues from a philosophical perspective. My main goal has been to explicate and criticize the nature of instrumental rationality as utilized in choice theories particularly in economics and political science and finally apply it to cultural behavior. I have also argued that in order to ameliorate the application from its failures, we may also receive help from constitutional

¹⁰⁸ Andreas P.Kyriacou, "Rationality, Ethnicity and Institutions: A Survey of Issues and Results," *Journal of Economic Surveys* 19 (2005): 23-42.

restrains that are proposed for political and economic models based on choice theories.

Even if the theory of constitutional political economy is insightful in its call to the problem of majority vote, the failures of converting individual choices to collective ones and the possibility of misusing power by political actors among other failures, the constitutional restrains are certainly on the right track to deal these problems, the theory still has certain limitations when applied unqualifiedly over the issues of culture and identity.

The PCT tells us how to go about transforming political structures; but full solution in the sphere of culture requires, in addition to structural changes, a platform for communication and cooperation among the participants and players. Thus, the following two criticisms are due:

- [i] Making a constitution is not just about proposing fair rules and just laws to be included in a constitution; it is also about the relative merits of the constitution makers.
- [ii] Only a neutral constitution can justify the necessary constraints for cultural behavior.

4.4.1. Making a Constitution Requires Merits of Its Makers

Since the PCT perceives the issue of constitution making as a rule governed game, it does not address sufficiently the problem of constitution-makers. The main reason is that the PCT is skeptical about political actors and bureaucrats and it holds them responsible for governmental failures. That is why, according to the PCT, we cannot trust that politicians or other authorities would follow the laws altruistically and would not manipulate the system in their favor.

As we have seen constitutional restrains were proposed as a partial remedy for the possibility of self-interest, nepotism, favoritism and other kinds of political mismanagement. There is, however, a further problem: who will make these

constitutional restraints and who will make the ruler abide by them? As we have seen in the previous sections Buchanan's theory indicated that only fair and just rules can make real laws; a proper behavior is the one that is performed under these laws. He did not seem to be much concerned with the makers of these "real laws." Contrary to this, Jon Elster gives an example from the French revolution. The French constitution-makers of 1791, he says, "were not famous for their sobriety, and the document they produced, which eschews bicameralism as well as judicial review, contains few devices for restraining majorities that are swept by passion."¹⁰⁹ There is always the possibility of constitutional high jacking in the hands of self-interested and partisan rulers and law-makers.

Even the fairest rules may be unjustly interpreted and ruthlessly manipulated in the hands of people who are solely motivated by self-interest. So, the question of *quis custodiet ipsos custodiet?* seems to be pertinent even when the laws are just and neutral. Buchanan himself doubtful that the problem has a solution. He says: "No fully satisfactory answer has been advanced [...] to answer the question *quis custodiet ipsos custodes?*"¹¹⁰ Elster suggests that "cognitive assumptions of the constitution-makers, that is, their beliefs about what institutional arrangements will bring about which results"¹¹¹ need to be taken into account. While the PCT focuses on majority rule and constraints in terms of constitutions, it does not say much about how we can make sure that decision makers be fair and impartial in the process of writing a constitution. The question becomes more relevant when there are no established constraints prior to the constitution.

¹⁰⁹ Elster, "Forces and Mechanisms in the Constitution-Making Process," 383.

¹¹⁰ Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan*, 51.

¹¹¹ Elster, "Forces and Mechanisms in the Constitution-Making Process," 365.

While the PCT has assumed that individuals as well as law makers are self-interested, it has not provided any convincing answer to the mentioned questions. Buchanan himself admits that even the constitution cannot ensure that individuals follow constraints after the constitution: “Whether it is possible to constrain the powers of government, to protect individual rights in a genuine usage of this term, can never be proven empirically.”¹¹² This pessimistic conclusion is reflected in Russell Hardin’s overall assessment of the PCT. The PCT, he believes, “leaves us understanding less than what we might earlier have thought we knew. Indeed, the more we understand the nature of the task, the more we seem to find it incoherent.”¹¹³

4.4.2. A Neutral Constitution Can Justify Constraints

The view that the state must be restrained through constitutions is not unique to the PCT. Beginning with the 17th century, philosophers developed theories to find solutions for tensions and problems that emerge between the individual freedoms and the state authority. They tried to explain what limits must be placed on the state authority to create a free sphere for the individuals.

Liberal theories emphasize the “neutrality” of the public space. The principle of neutrality declares that the state cannot determine or rank what is true, good and useful for the people. For example, the state may decide English as an official language not because it is a better language but because it is commonly spoken which make it easier for the citizens to communicate among themselves. Accordingly, the responsibility of the state in pluralist societies is not to impose a doctrine of good for its citizens through various means, but to create a political and legal environment in which the citizens can develop their own idea of the good. In

¹¹² Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan*, 51.

¹¹³ Hardin, “Public Choice versus Democracy,” 170.

the words of Will Kymlicka, the liberal state should follow the principle of *good negligence* in its approach to different views and identities. In other words, the state must remain indifferent to the cultural identity of its citizens. According to this perspective, the liberal state should not dictate a specific culture to acquire an official status; neither should it accept an official culture.¹¹⁴

The PCT as we have modified in this chapter, however, seems to ignore this kind of neutrality. Although the application focuses on constitutional constraints, it remains silent whether the state should remain neutral with regard to various forms of culture. Furthermore, although it gives instrumental reasons for choosing a culture or identity over others, but it does not recognize the demand for a neutral constitution, which must address people without separating them in terms of cultural identities.

A neutral constitution should not be considered as hostile to cultural identities. It should not suppress the rights and freedoms of the people who belong to different cultures and identities.¹¹⁵ Only in this way, we, as individuals and as members of groups, will enjoy the right to choose our own identity concerning language, religion, ethnicity, tradition, etc. Therefore, a neutral constitution must prepare the ground on which individuals would perceive culture and cultural rights from the perspective of free choice and lack of coercion.

4.5. Conclusion

The last chapter was concerned with the normative constraints for political and cultural actors through constitutional framework. Constitutional discussion was divided into three subsections. In the first section, I presented a brief outline of the social contract theories Thomas Hobbes, John Locke, John Rawls and James

¹¹⁴ Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2002), 327.

¹¹⁵ Bastiat, *The Law*, 3.

Buchanan. Next, I focused on the idea of constitutional political economy within the framework of the PCT to explain rights and constraints for individuals and governments. Furthermore, I applied constitutional constraints to the problems of culture. In the last section, I evaluated the PCT as applied to culture and provided a criticism of it.

CHAPTER 5

CONCLUSION

Since I have already provided a brief conclusion at the end of each chapter, I will not repeat those again here. Rather, I would like to focus on my criticisms to find out what they altogether mean for the discussion of rationality.

The basic question of this dissertation is: What principles must govern our decision-making so that we can be called instrumentally rational? Are these principles satisfactory for human rationality in all domains? To answer these questions, I focused on the RCT and the PCT which are extensively studied as the examples of instrumental rationality in contemporary debates. And I chose culture for an example to test whether the choice theories explain successfully human behavior in this domain. I have applied choice theories to the domain of culture because if they pass the test successfully, this means that they have the potential to explain all sorts of human behavior in general, provided that cultural behavior are considered among our most complicated forms of behavior.

The criticisms of application in the three chapters have shown that the choice theories fail to account for all the complexity and subtlety of cultural behavior. That is why I introduced ten criticisms to reveal the theories' shortcomings. In these criticisms, my intention was to disprove present arguments in favor of the RCT and the PCT and sometimes provide proposals which will give an account of complex human behavior that cannot be explained satisfactorily by the thin theories of rationality.

In the second chapter, I introduced four criticisms [i] Relations among individuals enhance rationality; [ii] Individuals are not perfectly rational; [iii]

Instrumental rationality cannot explain fully human behavior; [iv] Institutions and structures cannot be reduced to individual choices.

The first goal of these criticisms is to reformulate the choice theories according to the general features of human behavior. The choice theories tend to ignore the relation of individuals to each other in their environments, treating social groups as secondary and reducing public decisions to the individual choices. But is the society just a sum of individuals? Social life is not just a matter of choice but a natural tendency. Individuals live together interacting with each other to fulfill their desires and goals which they cannot do individually. Even the basic needs are inevitably social such as foods, shelter, security, care, etc. So, a theory of rationality must take into account “relations” in the sense that individuals are more than atomic entities and that they have needs that cannot be met through thin rationality. They live in a social environment and have limited resources which force them to be rational in a web of relations to improve their welfare. With these considerations in mind, the application of the rational choice theory to the domain of culture in the second chapter has shown that there is a kind of interactive exchange among the individuals in social environments which define their relations in a way that make their goal-oriented behavior mutually advantageous.

The second goal of the criticisms is to discuss one of the assumptions of the RCT that people are not only rational but also they are perfectly rational. If they follow the rules of rationality, as they should, they can make flawless calculations about the best means to achieve their specific ends. It has been evidenced in the psychological tests time and again that this assumption is no longer tenable and my application of the RCT to culture supports this conclusion. Considering individuals as less than perfectly rational gives a more realistic view of them. This also provides a more flexible theory to explain human behavior in a complex web of relations under uncertain conditions.

The third goal of the criticisms is to emphasize a point which was made by Jon Elster, Amartya Sen and others in the literature on the RCT. Elster rightfully objects the idea that rationality can be understood without reference to the contents of desires, intentions, emotions, and beliefs. Rational actions are

motivated by rational beliefs. Otherwise, a pure means-ends rationality would justify all kinds of immoral acts including killing an innocent person in the most efficient way regardless of the content. To avoid such absurd conclusions, a broader concept of rationality is needed to guide us in interpersonal relations towards a more humane world.

Lastly, in the second chapter, I mentioned Wittgensteinian rule-following as a criticism against methodological individualism. It is not meaningful to talk about the correct or incorrect application of a rule or the correct or incorrect use of a word, a sentence, a statement independently of their usage in social relations and interactions. The individual mental states, beliefs, intentions etc. are inherently and inseparably linked to social practices. So, only methodological individualism cannot be successful to explain complex human behavior.

In the third chapter, I introduced four more criticisms: [v] following norms is not incompatible with utility maximization; [vi] dynamic nature of norms and interactions among rational individuals can be fully accounted through integrating evolutionary approach into the choice theories; [vii] sympathy, trust and commitment among other values must be an integral part of rational behavior so that complex behavior can be explained consistently in the PCT framework; [viii] The PCT fail to produce empirically satisfactory findings for cultural behaviors.

First, these three criticisms aim to overcome the shortcomings of the current choice theories by providing a complete picture of the determinants of norms, sentiments and civic engagement. In addition, the criticisms indicate the evolutionary framework in which these determinants develop. Without taking these significant factors into consideration we will not be able to comprehend fully the place of reason in human affairs. There is more life than the “solitary, poor, nasty, brutish and short” one. We know that there are people who are solely motivated by the aim of reducing human suffering in the world without desiring any personal gain in the end. If we are not going to disregard this behavior as utterly aberrant acts, then we have to find an explanation for them and change our theory of rationality to include them as well. A theory that

equates rationally with utility maximization is not only wrong but also harmful and it runs into difficulties in the face of complexity of human behavior, and it falls short of explaining some forms of civic participation such as volunteering, charitable giving and other forms of altruism.

There are various reasons and motivations for obeying norms and laws and these reasons for the most part include rational processes such as planning, negotiating, bargaining, strategic thinking, balancing costs and benefits, etc.; in short, rational assessment of available alternatives. The decision making and choice theories make testable predictions and this is why a complete picture of social behavior of individuals can only be attained through casting a bridge between norms and utility maximization.

Second, the application shows that when cultural behavior is analyzed in detail, the model and its application fail to combine individual and social behavior appropriately. When people play the game of norms over-generations, they will reach an optimal strategy and equilibrium regarding these norms. Therefore evolutionary approach enables us to see the dynamic interactions between norms and rational individuals. Our norms evolve along with our lives and relations, and this has to be taken into account to understand individual action in interaction with others over time.

Third, I discussed an aspect of Smith's approach to human relations which is usually ignored by many economists who concentrate only on consistency, choices, and ends of economic action, in short on the formal aspects of rational choice, ignoring the setting in which these concepts occur in relation to certain virtues such as sympathy, trust, prudence, etc. As argued by Adam Smith, the need for sympathy urges people to socialize and regulate their behavior to make it conform to moral values. People would think twice before killing a person; not just because it is wrong but also because it would cut him off from the sympathy of his fellow beings. Accordingly, individuals are motivated by both moral values and selfish interests, and the norms of rationality cannot be constrained within the framework of instrumental mechanism of utility maximization.

In the last chapter, I introduce two more criticisms: [ix] Making a constitution is not just about proposing fair rules and just laws to be included in a constitution; it is also about the relative merits of the constitution makers. Since there is always the possibility of constitutional high jacking in the hands of self-interested and partisan rulers and law-makers, even the fairest rules may be unjustly interpreted and ruthlessly manipulated in the hands of people who are solely motivated by self-interest.

Lastly, [x] only a neutral constitution can justify the necessary constraints for cultural behavior. First, the PCT's viewpoint does not give us enough leverage to draft a model for a culturally neutral constitution and state. Furthermore, the application of the PCT as a model for the domain of culture faces the following challenges: It has to find a strategy for accounting the choices, for concerning identity and culture through institutions. To ignore these choices by claiming that they are not useful prevent conflicts but run the risk of increasing them by legal restrains. Then, we need a clear normative theory that justifies the necessary constraints for cultural behavior. For this purpose, I introduced the concept of constitutional cultural rights which aims at a society where the individuals have the right to choose, protect, and promote their identities within the context of internationally recognized rights such as freedom of speech, freedom of association, freedom of belief and religion, freedom of participation in cultural life and others.

Definition of cultural rights is a difficult project, and their recognition at the constitutional level, along with the restrictions levied on the state authorities is the only proper way of realizing these rights. Only in this way, we as individuals and as members of the communities will have the right to choose freely our own identity with regard to language, religion, ethnicity, tradition, and with regard to other points of reference that concern us as free, autonomous and rational human beings.

A free society is not destined to a monolithic structure consisting of individuals gathered around a hierarchy of similar values. In a pluralist society, individuals and groups can coexists with different intentions, ends and ideals peacefully. The goal is to reach a political system in which the freedom of each

and everyone is limited only by the freedom of each and everyone else. The constitutional cultural rights model, with the support of theoretical insights from the PCT and the conflict resolution and cooperation literature, may have a chance to establish a just and truly democratic political system and a tolerant society. Thus, a constitution for cultural rights can be only justified on the grounds of impartiality and neutrality among individuals with regard to their pre-constitutional commitments concerning their identity and culture. This view is not hostile towards cultural preferences, on the contrary, is sympathetic towards individual free choices on a rational base.

All these ten criticisms are intended to suggest that we need a model that will be inclusive of the individuals who belong to different forms of life and will explain the reasons of their behavior properly. In order to realize this transformation through choice theories, first, I have analyzed the RCT and PCT as models for the most complex area of human behavior, i.e. identity and culture. Then I have made the necessary criticisms to amend their failures. I believe that this dissertation achieves two things: first, the choice theories may have a potential to bring under their scope previously neglected fields such as identity and culture only if they transform their sense of rationality by considering complex behaviors, actors and their interactions; and second, the pervasive opinion that culture and identity are not relevant to rationality and rational choice must be reconsidered.

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APPENDICES

APPENDIX A. CURRICULUM VITAE

PERSONAL INFORMATION

Surname, Name: Kılınç Adanalı, Yurdagül

Nationality: Turkish (TC)

Date and Place of Birth: 1978, Ankara

Phone: +90 531 701 9546

email: ykadanali@gmail.com

EDUCATION

Degree	Institution	Year
PhD Candidate	METU	Present
Visiting Scholar	Columbia University	2011-2012
MA	METU	2005
BA	Ankara University	2000

WORK EXPERIENCE

Year	Place	Enrollment
2015- Present	Konya N.E University, Philosophy Department	Lecturer
2014	Ministry of Culture and Tourism	Member of the UNESCO Intangible Cultural Heritage Committee

2012-2015	Ministry of Culture and Tourism Directorate-General of Research and Education	Expert of Intangible Cultural Heritage/Turkish Delegate UNESCO's Intergovernmental Committee Meetings for the Safeguarding of the Intangible Cultural Heritage
2011-2012	Turkish Culture and Tourism Information Attaché of Consulate General, New York /USA	Officer
2007-2011	Ministry of Culture and Tourism Undersecretary	Vice-Expert
2005-2006	Kalem Publishing	Editor

PUBLICATIONS

Book

Kılınç Adanalı, Yurdagül et al. *From Tradition to the Future: Intangible Cultural Heritage*. Ankara: Ministry of Culture and Tourism Publications, 2013.

Articles

Kılınç Adanalı, Yurdagül. "Cultural Failures as Choices of Rational Individuals." *Beytulhikme An International Journal of Philosophy* 6 (2016): 17-30.

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Kılınç Adanalı, Yurdagül. “Richard Swinburne’ün Vahyi Temellendirmesi.” BA Thesis, Ankara University 2000.

HONORS and AWARDS

Dean’s list for six semesters. Ankara University Theology Faculty (1996-2000).

Grant for the Outreach Conference, George Mason University Public Choice Center, 2012.

Fellowship, TUBITAK International Research Fellowship Program, 2011-2012.

TEACHING EXPERIENCE

Ancient Greek Philosophy

Medieval Philosophy

17th Century Western Philosophy

19th Western Century

20th Century Western Philosophy

Basic Philosophical Concepts

History of Science II

Introduction to Philosophy

Ontology

Philosophy of Communication

Cinema and Philosophy

FOREIGN LANGUAGES

English (Advanced)

Arabic (Intermediate)

German (Elementary)

Latin (Basic)

APPENDIX B. TURKISH SUMMARY / TRKE ZET

Kendimizi gnlk hayatta sık sık karar vermeyi gerektiren durumlarla karşı karşıya buluruz ve byle durumlarda oęu zaman birden ok alternatifimiz vardır. Ancak hangisinin bizim iin “en iyi seim” ya da “en rasyonel seim” olduęunu nceden kestirebilmek kolay deęildir. Dahası tercihlerimizi belirlerken kullandığımızı varsaydığımız rasyonelite kuralları ile davranış kuralları arasındaki ilişki karmaşıık bir karakterdedir. Bu durumda kendimiz iin en iyi seimi nasıl yaparız? Alternatifleri deęerlendirirken nasıl bir yol izleriz? İşte bu sorulara cevap bulabilmek iin rasyonel tercih teorileri, araçsal rasyonelite erevesinde karar alma srelerini ve bu srecin nitelięini belirlemek ister. Bu sreci formel bir şekilde ifade edebilmenin yollarını arayan oyun teorisi ise rasyonel eylemin sonularını, iki ya da daha fazla rasyonel bireyin karşılaşması durumunda retilebilecek stratejileri ve elde edilecek faydayı matematiksel olarak gstermektedir.

Rasyonelite ile ilgili aędaş tartışmalar, teorik-pratik rasyonelite, araçsal-zsel rasyonelite, kural, irrasyonelite, paradokslar, nyargılar, tercih ve kararlar gibi konular etrafında yoęunlaşmaktadır. Tartışmalar devam etse de rasyonelite ile ilgili genel geer bir tanım zerinde filozofların uzlaştığını sylemek gtr. yle ki rasyonelite farklı baęlamlarda farklı anlamlarda da kullanılmaktadır. Bu farklılık, birbiriyle rtşmeyen rasyonelite teorilerinin de ortaya çıkmasının başlıca nedenidir. Teorik, pratik, araçsal, zsel, epistemik, metafizik, bilimsel, politik, teolojik, ekonomik ve sınırlı rasyonelite bu farklı teorilerden sadece bir kaıdır.

Jonathan Cohen farklı tanımları bir araya getirdięi makalesinde en az dokuz eşit rasyonalityden sz eder. Cohen, ilk olarak, tmdengelimci mantığın kurallarına uymak anlamındaki rasyonalityeyi inceler. Buna gre “Yaęmur yaęıyor” ve “Yaęmur yaęarsa sokaklar ıslanır” ncllerinden “Sokaklar ıslak deęil” neticesini mantıksal olarak ıkarmak irrasyonel olarak tanımlanacaktır.

Rasyonalitenin ikinci şekli, doğru matematiksel işlemlerde ortaya çıkar: “ x bir asal sayıdır” ve “ $x > 11$ ” önermelerinden “ $x > 12$ ”yi çıkarsamak rasyoneldir. Üçüncü olarak rasyonalite sözcüklerin anlamlarına dayalı olarak yapılan doğru akıl yürütmedir: Örneğin, iki kişi birbirinin birinci dereceden kuzeniye onların en az ortak bir büyükbabası veya büyükannesi vardır. Rasyonalitenin dördüncü şeklini, deneysel verilerden hareketle genel bir açıklamaya ulaşan tümevarım temsil eder. Deneye tabi tutmadan böyle bir hipotezin sağlam temelli olduğuna karar vermek rasyonel olmayacaktır. Cohen, rasyonalitenin beşinci şeklinin doğru matematiksel olasılık hesaplamalarında; altıncı şeklinin ise herkesçe bilinen olgusal genellemelere dayalı çıkarımlarda ortaya çıktığını söyler. Örneğin eğer kaldırımlar ıslaksa normalde yeni yağmur yağmış olduğu neticesini çıkarmak rasyonel, yağmadığı neticesini çıkarmak ise rasyonel değildir. Rasyonalitenin yedinci şekli olan iktisadi rasyonalite daha öncekilerden farklı olarak öncelikle davranışla ilgilidir. Bireyin amaçlarına veya çıkarlarına hizmet eden eylemlerde ortaya çıkar. Rasyonel bir davranış modeli, piyasada her bir ferdin maksimum kâr elde edecek şekilde alışveriş yaptığını varsayar. Buna göre birey, amaçlarına ve çıkarlarına neyin hizmet edeceğinden emin değilse bile o kimse olasılık ve fayda hesaplamasında en iyi sonucu veren davranışı tercih edecektir. Rasyonalitenin sekizinci şekli, amaçlara götüren araçlardan ziyade bizzat amaçların seçimiyle ilgilidir. Bu tür bir rasyonalite temelde ahlaki bir tutumdur. Cohen, son olarak, dilsel iletişim hakkındaki rasyonaliteden bahseder. Ona göre başarılı bir iletişim süreci için iletişime giren kimselerin akıl yürütme yetilerini kullanması gerekmektedir.

Rasyonalitenin fayda ve çıkar maksimizasyonuna atıfla ele alınması ve hatta indirgenmesi rasyonel tercih teorilerinin en belirgin özelliğidir. Bu çalışmada rasyonel tercih teorisinin oyun teorisinin de desteğiyle rasyonaliteyi ele alışı, politik ve kültürel alanda insan davranışlarının analizinde ve açıklamasında başarılı olup olmadığı eleştirel bir yöntemle ele alınmaktadır. Tezin temel soruları şunlardır: “Karar alma sürecini yöneten hangi ilkeler araçsal olarak rasyonel olduğumuzu ispatlar?” ve “Bu ilkeler insan rasyonalitesini tümüyle karşılar mı?” Bu iki soruya cevap vermek için öncelikle rasyonel tercih teorisi ve kamu tercihi teorisi, davranışları açıklayan bir model

olarak sunuldu. Her iki modelin avantaj ve sınırlarını daha net bir şekilde belirleyebilmek için modeller, kültür ve kimlik problemlerine uygulandı. Tezin üç ayrı bölümünde yapılan uygulama sonrasında modellerin kültür ve kimlik alanına ait davranışların açıklanmasında ve öngörülmesinde göreceli bir başarı elde ettiği ileri sürüldü. Bununla birlikte insan zihninin kognitif kapasitesi hakkında gerçekçi olmayan varsayımları, tercihlerin içeriğini göz ardı etmeleri, karar alma sürecinde duyguların rolünü dışarda bırakmaları, tecrübi açıdan genelleştirilememeleri, kolektif yapıları bireysel kararlara indirgemeleri, toplumsal normları göz ardı etmeleri, karar verici ve kural koyucuların kişisel özelliklerini hesaba katmamaları gibi pek çok nedenden dolayı modellerin sınırlı olduğu ileri sürüldü. Böylece, kültürel davranışlar örneğinde olduğu gibi karmaşık insan davranışlarının tercih teorilerinin öngördüğü dar bir rasyonalite tarafından tam anlamıyla açıklanamayacağı gösterilmeye çalışıldı.

I- Modeller

Bu çalışmada karmaşık insan davranışını öngörmeye başarısını değerlendirmek üzere üç model sunuldu: rasyonel tercih, kamu tercihi ve anayasal iktisat.

Rasyonalitenin geniş perspektifine rağmen rasyonel tercih teorisi, tüm insan davranışlarını çıkar maksimizasyonu varsayımıyla açıklayabileceği iddiasında bulunmaktadır. Teori, insanın rasyonel olduğu ve rasyonel insanın da tutarlı, birbiriyle çelişmeyen tercihlere sahip olduğu ön kabulünden hareket eder. Aksiyomlardan oluşan bu kuram, bireyin daima rasyonel hareket ettiği ilkesine dayanmaktadır. Rasyonel birey, alternatif eylemleri birbiriyle tam olarak kıyaslayabilmekte ve bunlardan en iyi ve kârlı seçimi tercih edebilmektedir. İktisadi anlamda piyasanın işleyebilmesinin ve sosyo-politik alanın dinamiklerini analiz etmenin temel koşulu tam ve mükemmel bilgi sahibi rasyonel aktörlerdir. Bireyler diğer sosyal ve kültürel ilişkilerinden tamamen soyutlanmış bir biçimde rasyonel ve bağımsızdırlar. Verdikleri kararlar rasyonalite ilkelerinin dışında herhangi bir kural ve kurumla sınırlanmış değildir. Bu yüzden insan tercih ve kararlarını etkileyebilecek dışarıdan hiçbir olgu yoktur.

Sabit ve deęişmez olarak kabul edilen bireye özel tercihler sayesinde piyasa ve toplum öngörülebilir şekilde faaliyet gösterir. Çünkü bireyin tercihte bulunmasından bu tercihi davranışa dönüştürmesine kadar tüm karar alma ve uygulama süreci, herkes için geçerli evrensel ve sabit ilkelerle belirlenmiştir. Nitekim aktörler mübadelelerini herkes için ortak bir motivasyon olan bireyler açısından en yüksek fayda ile gerçekleştirmektedir. Bu anlamda rasyonel bir tercihin gerektirdiğı ilk kural, tercih setinin sıralı olmasıdır. Başka bir deyişle, rasyonel bireyin her bir tercihin neden o sırada olduğuna dair gerekçesinin bulunması zorunludur. Aslında bu tercih seti, insanın yaşamı boyunca aşına olduğu nesneleri ve bu nesneler arasındaki farklılıkları ortaya koyan sıralı bir settir. Bu set içindeki sıralamaya uygun olarak seçimlerini yapan *homo economicus*, rasyonel bir tercihte bulunmuş olur. Bu ilkenin temelini oluşturan asıl düşünce, insanların sıralama neticesinde alternatiflerin maliyetini, elde edecekleri faydayı ve bu faydayı en yükseğe çıkarmaya ilişkin hesaplamaları yapabilecek kabiliyette ve yetide olduklarına dair varsayımdır.

Tercih seti ile ilgili ikinci kural, geçişlilik ilkesidir. Bir mantıksal gereklilik olarak kabul edilen bu ilkeye göre tercih sıralaması içsel tutarsızlık göstermemelidir. Örneğin, bir kimse eğer (x)'i, (y)'ye tercih ediyorsa; (y)'i, (z)'ye tercih ediyorsa; (x)'i, (z)'ye tercih etmelidir. Üçüncü ilke ise tutarlılıktır. Rasyonel davranışın tutarlı olabilmesi için geçişlilik, tamlık ve süreklilik gibi bir dizi mantıksal koşulu yerine getiriyor olması gerekir. Tüm bu rasyonalite ilkeleri, alternatifleri arasında tercihte bulunan kişinin, gerekli bilgiyi tam olarak edinmiş olduğunu ima eder. Şu halde birey, amaçlarına ve çıkarlarına neyin hizmet edeceğinden emin değilse bile bir şekilde olasılık ve fayda hesaplaması neticesinde en iyi sonucu veren davranışı tercih etme kapasitesine sahiptir.

Tam ve mükemmel bilgiye sahip aktörlerin, oyun teorisinin de iddia ettiği gibi stratejik karar vermeleri gereken durumlarda Nash dengesine ulaşabilecekleri akılcı stratejileri vardır. Bilginin tam olması aktörün yalnızca kendi stratejisini değil karşıdaki rasyonel aktörün stratejini de belirlemektedir. Bu yüzden aksiyomatik ilkelerle belirlenmiş ve kesinleştirilmiş bir alanda her şey öngörülebilirdir ve sürprizlere yer yoktur. Sadece denge

arayışı vardır. Eğer bireyler bu belirlenmiş işleyişin dışında irrasyonel olarak hareket ederlerse dengeyi bozacakları için bir süre sonra bulundukları konumu terk etmek zorunda kalacaklardır. Bütünüyle belirlenmiş bir denge anlayışı kaos, irrasyonel ve belirsizlikten değil tam aksine verili, sabit, öngörülebilir, kesin ve test edilebilir ilkelerden hareket eder. Şu halde tercih teorilerinin bireyini, kendine yeterli, kendisiyle ilgili tüm olanları ve olacakları, tüm yaptıklarını, yapacaklarını bilen, özgür ve tam bilgi sahibi bir varlık olarak tanımlamak mümkündür. Özetle bu tanım, rasyonel tercih teorisinin iki önemli varsayımının zeminini oluşturur: [1] Tüm insanlar rasyoneldir [2] İnsanlar faydalarını maksimize ederler. Bireyin rasyonel kabul edilmesinin teori açısından iki avantajı vardır: İlki, aktörlerin davranışlarının öngörülebilirliğini artırır. İkincisi, bireylerin tutarlı bir şekilde davranacakları öngörüsü üzerine toplumsal kural ve kurumlar düzenlenir.

Görüldüğü gibi rasyonel tercih teorisi rasyonalitenin felsefi anlamda içeriğini tartışmaz; daha ziyade karar verme sürecinde karşı karşıya kaldığımız alternatifleri ve bunlar arasında en iyi tercihin hangisi olacağı üzerinde şekilsel bir analiz yapar. Başka bir ifadeyle, temel nokta, neyi seçtiğimiz değil, bir şeyi seçiyor olduğumuz gerçeğidir. Aslında şekilsel analiz, geleneksel rasyonalitenin içeriğe olan vurgusunu kaldırmaya yönelik bir adımdır. Tercih teorisi insanın tercih yapmasını ve dolayısıyla bu anlamda özgür bir iradeyi ortaya koymasını öncelerken özsel (substantive) rasyonalite anlamı ve muhtevayla ilgilenir.

Rasyonel tercih teorisinin bireylerin mükemmel bir şekilde rasyonel oldukları iddiası, tüm kurumları bireye indirgeyen “metodolojik bireycilik” görüşünü ortaya çıkarır. Metodolojik bireycilik, sadece ve sadece bireylerin tercihte bulunduğunu ve faaliyet gösterdiğini, kolektif oluşumların bu şekilde tercihte bulunması ve faaliyet göstermelerinin söz konusu olmadığını iddia eder. Diğer bir ifadeyle “sadece bireyler tercihte bulunabilir” aksiyomuna göre bir alternatifini diğerine tercih ederken her ikisini kıyaslayıp değerlendirme yapabilecek tek canlı bireydir. Grup, kurum, toplum ve devletler alternatifler arasında bir tercih yapamazlar ya da ancak metaforik olarak yapabilirler. Hiçbir kurum ya da yapı bireyler için neyin daha iyi olduğunu bireylerden daha iyi bilemez. Bireyler ise kendileri için neyin daha iyi olduğunu özgür bir biçimde

tercihleri yoluyla ifade ederler. Dolayısıyla kurumların tek görevi, bireylerin toplumsal düzenlemelerle ilgili politik tercihlerini ifade etmelerine imkan tanıyan bir mekanizma kurmaktır.

Metodolojik bireycilik anlayışına göre analizin konusu, toplum ve devlet gibi organik birimler değil, faydayı maksimize etmeye çalışan ve rasyonel tercihlerde bulunabilen bireylerdir. Kamu kurumları, kamu teşebbüsleri, kısaca devleti oluşturan organların kararları birey tercihlerinin bir sonucu olarak ortaya çıkar. Buna göre toplumda bütün ekonomik ve sosyal kararlar bireysel ihtiyaç, eğilim ve tercihlere göre belirlenir. Bu da bizi şu soru ile karşı karşıya bırakır: Eğer tüm kararlar birey tercihlerine göre belirleniyorsa mevcut kurumları, onların tercih ve karar verme sürecini nasıl analiz edeceğiz?

Metodolojik bireycilik, toplumu tek tek bireylerin bir toplamı olarak kabul ettiği için bireylerin her birinin tek tek seçimini, toplumun tümünün seçimi olarak kabul etmektedir. Dolayısıyla, kamusal tercihler bireysel tercihlerin aritmetik ortalamasından oluşmaktadır. Bu durumda insan tercihleri, kolektif ve bireysel olarak ikiye ayrılmaz; çünkü kolektif davranışların temelini, bireysel davranışlar oluşturmaktadır. Kolektivite ifade eden kavramlar, ancak bireysel eylemler hakkındaki ifadelere dönüştürüldüklerinde anlamlıdır.

Bu çalışmada ikinci model olarak sunulan ve temelde rasyonel tercih teorisinin politik sürece uyarlanması olan teori, kamu tercihi teorisidir. Kamu tercihinin kurucu teorisyei James Buchanan, çıkar maksimizasyonu ve metodolojik bireycilik varsayımlarını politik davranışların analizi için kullanır. Ona göre günlük hayatında kişisel faydasını maksimize etme çabası içinde olan rasyonel insan, benzer davranışlarını politik alanda da göstermektedir. Seçmenler, parti liderleri, seçilmiş politikacılar ve bürokratlar bir kamu seçicisidir ve farklı rollere sahip bu politik rasyonel bireyler, politika oyununu oynarlar. Buchanan'ın amacı, politik süreçte oynanan ve sınırları belli olmayan politika oyununu incelemek ve söz konusu oyunu daha da adil hale getirmek için seçmenin, politikacının ve bürokratin uyması gereken kuralları araştırmaktır. Ona göre oyunun kurallarının adil bir şekilde belirlenememesi, “politik yozlaşma” sonucunu doğurur. Politik yozlaşmanın soysal ve ekonomik açıdan olumsuz sonuçlarını en aza indirmenin yolu ise yasal, kurumsal ve

anayasal çerçevenin dikkate alınmasıdır. Bunun için öncelikle politika, geleneksel teorilerin aksine toplumu ilgilendiren kararlarda bireyleri dikkate almalıdır. Geleneksel teoriler, bireyi göz ardı etmiş ve siyasi kurumları, geniş ve her şeyi kapsayan bölünemez bir bütün olarak anlamışlardır. Bu tanımlama özellikle devlet-birey ilişkisinde etkisini göstermiş ve iddia, bireyin devlet için var olduğuna kadar götürülmüştür. Halbuki Buchanan'a göre hiçbir kurum ya da yapı bireyler için neyin daha iyi olduğunu bireylerden daha iyi bilemez. Bireyler ise kendileri için neyin daha iyi olduğunu özgür bir biçimde tercihleri yoluyla ifade ederler. Dolayısıyla devletin tek görevi, bireylerin toplumsal düzenlemelerle ilgili politik tercihlerini ifade etmelerine imkan tanıyan bir mekanizma kurmak olmalıdır.

Kamu tercihinin asıl üzerinde durduğu nokta, piyasa başarısızlığı gerekçesiyle devletin piyasaya müdahale ederek büyümesidir. Devletin bu yolla büyümesini eleştiren Buchanan'a göre 1950'li yıllarda yaygın bir şekilde refah ekonomisinin temeli kabul edilen piyasanın başarısızlığı yerini devletin başarısızlığına bırakmıştır. Devletin başarısızlık nedenleri arasında harcamalar, büyüme, iktidarın kullanımı ve özellikle bürokrasi bulunmaktadır. Bürokrasi, siyasal mekanizmanın aldığı kararları uygulayan uzman kadrodur. Ancak devletin başarısızlığında bürokratik yapının azımsanmayacak bir katkısı vardır. Bu yüzden kamu görevlilerinin her daim kamu menfaatine göre hareket ettikleri düşüncesini tekrar gözden geçirmek gerekir. Bunun için Buchanan, politika oyununu ve bu oyunun aktörlerini analiz etmek üzere politik mübadele kavramını kullanır. Ekonomi alanından politikaya uyarlanan bu kavram, politik süreçte yer alan ilişkileri, mübadele modellemesi üzerinden analiz etmeye imkan vermektedir. Bireyler bir malı diğer bir mal ile mübadele etmek amacıyla piyasaya girer. Tıpkı bunun gibi politikada da bireyler bir mübadelenin içindedirler. Bireylerin bu süreçte amacı, mevcut yapı içerisinde etkin bir biçimde sağlayamadıkları bazı amaçlarını mübadele yoluyla kolektif olarak sağlamaya çalışmaktır. Mübadele analojisi, her iki tarafın kendi çıkarlarını sağlamak amacıyla bu işlemi gönüllü olarak tercih ettiklerini kabul eder. Diğer yandan mübadeleye giren kişilerin simetrik olduğu ve mübadele sürecinden elde ettikleri fayda oranında iktidara sahip oldukları varsayılır.

Politik süreç içerisinde gerçekleşen mübadelede seçmen, siyasal iktidar, bürokrasi, muhalefet ve baskı grupları rol almaktadır. Siyasal iktidar ile seçmenler arasındaki mübadele, oy ve kamusal hizmetlerden yararlanma etrafında şekillenir. Seçmenler kamu hizmetlerinden daha fazla faydalanmak isterken siyasal iktidar daha fazla oy alabilmek için kamusal hizmet vaadinde bulunur. Bürokrasi ise kendi imkanlarını genişletmek için siyasal iktidarla politik mübadeleye girer. Böylece kamu tercihi teorisi, politik mübadele sürecini menfaat çatışmaları alanı olarak tarif eder. Ancak buna rağmen önceki teorilerden ayrılarak iyimser bir sonuca ulaşır; çünkü oyunun kuralları değiştirilebildiği sürece daha iyi sonuçlar elde edilme imkanı her zaman var olacaktır.

Politik mübadelenin başarısızlıkla sonuçlandığı ve oyunun kurallarının değiştirilemediği durumda devletin başarısızlığı ile yüzleşmek gerekecektir. Buchanan başarısızlığın nedenlerini açıklarken işe ilk önce devlet ve kamu yönetimini evrensel ve değişmez bir olgu olarak kabul eden yerleşik düşünceyi eleştirmekle başlar. Bu düşünce devletin ihtiyaçtan doğduğunu göz ardı ederek ona bir kutsiyet atfetmekte, zamana ve zemine göre devletin kendini değiştirebileceğini görmezden gelmektedir. Üstelik bu algı, kendilerini her türlü denetim ve baskıdan uzak tutabilmek amacıyla politik aktörler tarafından beslenmektedir. Oysaki bu tutum, halk için var olan ve onlar tarafından organize edilen devletin varoluş amacından sapması anlamına gelmektedir. Devletin başarısızlığının temel nedeni, anayasal bir sözleşme çerçevesinde bireylerin hak ve özgürlüklerini korumak amacıyla oluşturulan koruyucu devlet anlayışının ortadan kalkması ve buna karşın emniyet ve adalet hizmetlerinin yanı sıra diğer kamusal mal ve hizmetleri de sunmaya başlayan üretken devlet düşüncesinin etkin hale gelmesidir. Diğer bir deyimle, bireysel fayda maksimizasyonu ilkesinin de katkısıyla devletin büyümesidir. Buchanan, iki ayrı sınıflamada devletin bu dönüşümüne ve büyümesine dikkat çekmiştir: (1) koruyucu devlete karşı üretken ve aşırı devlet; (2) sorumlu devlete karşı aşırı devlet. Her iki sınıflamada da devlet mekanizmasının, vatandaşların hak ve özgürlüklerini koruyan bir yapıdan kişisel çıkar motivasyonu ile büyüyerek hantal ve aşırı bir yapıya doğru dönüşmesine dikkat çekilmektedir. Peki, politik

süreçte kendi menfaatini kollamak her durumda “kötü” bir amaç mıdır? Buchanan’a göre kendi çıkarını her şeyin üstünde tutma, iyi yönetildiği takdirde kaynak kullanımını etkinleştirecek ve böylece toplumsal hayata pozitif katkıda bulunabilecektir. Ancak, devleti başarısızlığa götüren, kötü yönetilen kişisel çıkardır ve iyi yönetilen çıkarın tam tersi bir şekilde sonuç vermektedir. Şu halde, refah devleti anlayışı ve hesapsız harcamalar devletin başarısızlığına yol açıyorsa devletin, toplumun güvenliğini sağlayacak, yasal ve hukuki süreçleri yürütecek kadar büyük ve adaletsizliğe neden olmayacak ve bireysel özgürlükleri kısıtlamayacak kadar da küçük olmasının bir yolunu bulmak gerekecektir.

Buchanan, siyasetçi, bürokrat, seçmen yani tüm politik aktörlerin neden olduğu politik yozlaşmanın ve devlet başarısızlığının ortadan kaldırılması için devletin güç, yetki, görev ve fonksiyonlarının sınırlandırılmasına özellikle vurgu yapmaktadır. Hatta ona göre, yetersiz olan politikacıların yetenekli olanlarıyla değiştirilmesi bir çözüm değildir. Anayasal reform içerisinde amaç, politikacıların uyması gereken sınırların veya kuralların oluşturulmasıdır. Devletin başarısızlığı ise politikacı, seçmen ve kamu kesiminin işleyişinde ve kendi aralarındaki ilişkilerde kuralların yeterli ve sınırlayıcı olmamasından kaynaklanmaktadır. Kamu tercihi teorisine göre bu olumsuzlukların giderilebilmesi için politik süreçte kamunun hareket alanının tespit edilmesi ve bireysel hak ve özgürlüklerin sınırlarının karşılıklı olarak belirlenmesi gerekmektedir. Böyle bir belirleme ve sınırlandırma işleminden beklenen öncelikle toplumda güç eşitsizlikleri ya da dengesizlikleri meydana getiren bürokrasinin asli işlevine dönmesidir; çünkü gerçek anlamda düzgün işleyen bir bürokrasi, demokratik bir toplumda siyasî bozulmayı ya da yolsuzluğu azaltacak ve demokratik işlemlerin devamını sağlayacaktır. Şu halde çözüm olarak önerilen, kamusal hizmetlerin etkinliğini artırmak için oyunun kurallarının yeniden belirlenmesi ve yeniden yapılanma sürecine girilmesidir. Böylece politik kurum ve kurallar yeniden oluşturulabilecek, yetkilerin sınırı çizilebilecektir. İşte bu görüş, bizim çalışmamızda üçüncü model olarak sunduğumuz Anayasal İktisat teorisine götürmektedir.

James Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan* kitabında Hobbes'un savunduğu “anarşiye karşı düzen” karşıtlığını kullanarak Anayasal İktisat görüşünü geliştirir. Hobbes’a benzer şekilde Buchanan da sözleşme öncesi anarşi ortamında insanların sınırlı kaynaklar sebebiyle diğerleri ile savaşmak ve kendilerini muhtemel saldırılara karşı korumak zorunda olduğunu iddia eder. İnsanlar şayet anarşi ortamını bırakır ve birbirlerinin mülküne saygı gösterecek bir sistem oluşturabilirlerse “maksimum faydaya” ulaşabileceklerdir. Anarşi durumunda insanlar sınırsız özgürlüğe sahip olsalar da devlet, insanların daha “yüksek faydaya” ulaşmaları için gereklidir. Ancak insanların sorumluluklarını yerine getirmeme gibi bir eğilimlerinin olduğunu hatırlatan Buchanan, bireyler için koşulları yeniden düzenlemedikçe bir süre sonra devlet için yapılan anlaşmanın geçersiz hale geleceği uyarısında bulunur. Bu durumda Hobbesçu anarşi ortamına geri dönüleceğini tahmin etmek hiç de güç değildir. İnsanların anarşi ortamına tekrar sürüklenmesi sosyal sözleşmeyi bozanları cezalandıracak bir kurumun olmamasından kaynaklanmaktadır. O halde böyle bir kurum nasıl tesis edilecektir?

Buchanan’ın önerisi, tarafsız olacak bir üçüncü şahıs mekanizmasıdır. Bu da devlet anlamına gelmektedir. Üçüncü şahıs olarak devlet, kişiler arasındaki uyuşmazlıklarda kuralları yorumlama ve uygulama ile görevlidir. Ayrıca sosyal sözleşmenin kendisine verdiği görevleri yorumlama hakkı da vardır. Buchanan’ın devlet olarak tarif ettiği zorlayıcı üçüncü şahıs, tıpkı Hobbes’ta olduğu gibi tamamen oyunun dışındadır. Bu analogi, hakemin oyunun kurallarıyla sınırlı olması gibi devletin de uzlaşmaya varılan konularda sınırlı olması anlamına gelmektedir.

Buchanan, Anayasal İktisat çerçevesinde oluşturulmuş anayasal kuralların, sınırlı, sorumlu ve hukukun üstünlüğünü kabul eden anayasal bir devletin zemini olacağı kanaatindedir. Politik yozlaşmanın soysal ve ekonomik açıdan olumsuz sonuçlarını en aza indirmenin yolu ise yasal, kurumsal ve anayasal çerçevenin dikkate alınmasıdır. Özetle, anayasal iktisat anlayışının temeli iktisat biliminin araçları ile politikayı analiz etmeye dayanmaktadır. Buna göre, politik arenada aktörler arasındaki ilişkilerden kaynaklanan ve anayasal sınırlandırmalar olmadığı için başarısızlıkla sonuçlanan politik süreç

yeniden ele alınmalı; anayasa kavramı ve dolayısıyla anayasa pratiği olabildiğince genişletilmeli; kurallar ince ayrıntılarına kadar anayasal çerçevede belirlenmeli ve politik alandaki aktörlerin özellikle siyasetçi ve bürokratların hak ve yetkileri sınırlandırılmalıdır.

II- Uygulama

Bu aşamada, yukarıda özetlenen üç modelin varsayımlarının geçerliliği, kültürel davranışların analizinde kullanılarak aşağıdaki başlıklar altında test edilecektir. Model ve uygulamanın başarılı olup olmadığı son aşama olan eleştiri kısmında değerlendirilecektir.

Bir, kültür ve kimlik bireysel ve rasyonel bir tercihin konusu olabilir: Rasyonel tercihin ilk uygulaması, insanın kültürün pasif bir nesnesi olmadığı aksine onu belirleyen, şekillendiren ve dönüştüren “sahibi” olduğu, gerektiğinde bireyin kendi kültürü ve kimliği için de rasyonel seçimler yapabileceği, diğer kültürlerin pratiklerine katılabileceği ya da karşı çıkabileceğini gösterir. Buna göre kültür ve kimlik pasif olarak edinilen bir miras değil aksine rasyonel bir seçimin konusudur. Kültür ve kimliğin özgür ve rasyonel bir seçimin konusu olması ise seçim sürecinde kişisel geçmiş, ilgi, bilgi, bakış açısı ve çevresel pek çok faktörün alternatif setini belirlemesini engellemez. Verili olan bu setten birey, kar-zarar hesabına göre en yüksek faydayı sağlayacak olan alternatifi rasyonalite ilkeleri çerçevesinde seçer. Şu halde sorulması gereken soru şudur: Bu seçimin boyutları nereye kadar uzanabilmektedir? Bir insan, seçiminin sonucunda tamamen başka bir kültürün mensubu olabilir mi? Kolay ulaşım, göçler ve kültürel karşılaşma imkanlarının artmasıyla birlikte bir kimsenin istediği herhangi bir kültürel kimliği seçebilmesi daha kolay görünüyor. Ancak itiraf etmek gerekir ki bu cevap, ampirik olarak desteklenmemektedir. Her ne kadar bilinçli bir şekilde tercih edilse de tamamen yabancı bir kültürün üyesi olma sürecinin çok kolay gerçekleşemeyeceği açıktır. Buna rağmen tercih teorilerinin insanların rasyonel olarak tercihte bulunabilecekleri varsayımı, kısmen de olsa kültür ve kimliğe uygulanabilir görünmektedir.

İki, kültür ve kimlik kavramları grup, topluluk ve toplumlar değil birey üzerinden tanımlanmalıdır: Uygulamanın bu ikinci aşaması, kültür ve kimlik

kavramlarını metodolojik bireycilik anlayışına göre yeniden gözden geçirmektedir. Klasik özcü (essentialism) görüş, kültür ve kimliği insanların yaşadığı toplum ve grupla tanımlar. Kültür ve kimliğe dair bilgileri, insanların içine doğduğu ve değişmez yerel bilgi olarak kabul eder. Değişmezdir çünkü belli bir sınıfa dahil her varlığın, o sınıfa ait nitelik ya da özelliğe aynı oranda sahip olduğunu iddia etmektedir. Bir başka deyişle, özcülük, gruba ait özellikleri grubun tüm üyelerine genellemekte ve bu özelliklerin her tür bağlamdan bağımsız olarak var olduğunu savunmaktadır. Tıpkı kültüralist bakış açısında olduğu gibi. Kültüralizm, kültürü, tarihin merkezine koyan indirgemeci bir yaklaşımdır. Bu yaklaşım kültüre, insan kişiliği ve davranışları üstünde belirleyici bir rol yüklemektedir. Topluma özgü kalıcı bir kültür tasarımına sahip kültüralist kurama göre bir toplum düzeyinde, birbirinin aynısı ya da birbirine yeterince benzeyen kültürel koşulların bütünü, toplumun bütün üyeleri arasında olguları aynı şekilde görme ve benzer durumlarda aynı şekilde tepki verme özelliği yaratmaktadır. Kültüralist kuramın bu bakış açısı, kültürleri biricik, çelişkisiz ve değişimsiz olarak tahayyül ettiğinin göstergesidir. Ancak rasyonel tercihin uygulaması, kimliğin biçimlenme sürecini bireylerin “öteki” ile karşılaşmaları, zaman-mekan algısını değiştiren sanal ortam ve kitle iletişim araçlarına göre biçimlenir ve sürekli yeniden inşa edilir olarak kabul eder. Bireyin kendini tanımlamada birden çok seçeneğe sahip olduğu ve bu kimlik seçeneklerinin dinamik olduğu açıktır. Metodolojik bireycilik perspektifinden bakıldığında kültür ve kimliği inşa eden kolektiviteler değil bireysel rasyonel tercihtir. Şu halde, kültür ve kimliği, özcü bir bakış açısından ziyade rasyonel bireyler arası ilişkiler ve tercihlerle inşa edilen kavramlar olarak ele almak mümkün görünmektedir.

Üç, aslında bir konuyu tercih meselesi haline getirdiğimizde mübadele de kaçınılmaz olarak onu takip etmektedir: Uygulamanın bu aşamasında bireysel rasyonel tercihin konusu haline gelen kültür ve kimliğin rasyonel aktörler arasında mübadele edilebildiği gösterilmektedir. Adam Smith’in ifade ettiği gibi ticaret, takas ve bir şey karşılığında başka bir şey alma eğilimi tüm insanlarda ortaktır. Kültür üreten, bölüşen, tüketen, geleceğe ilişkin tasarımları olan, birbirlerinden soyutlanamayan ve tecrit edilemeyen insanların sürekli

yeniden ürettiği, taşıdığı bir süreçtir. Bu haliyle kültür, süregelen bir dönüşüm ve çoğu zaman faydayı artırma amaçlı bir mübadele olarak kabul edilebilir. Örneğin bir politika olarak farklı kimlik ve kültürlerin teşvik edilmesi ve çokkültürlülük, devletlerin ekonomide ortaya çıkan ya da çıkması muhtemel krizlere karşı bir önlem alma çabası olarak okunabilir. Öyle ki mevcut kültür politikaları farklılıkları, düzenin devamını sağlama ve ekonomik anlamda kâr amaçlı olarak ön plana çıkarmaktadır. Siyasi anlamda, çokkültürlülüğün farklı kimlik ve grupları kontrol edebilmek için kullanılan bir aygıt haline dönüşmesi de muhtemeldir. Özellikle maddi yardımda bulunarak etnik grupların kendi kimlik ve kültürlerini devam etmesini sağlama politikası, bu grupları siyasal yapı tarafından daha kolay manipüle edilebilir hale getirmektedir. Devlet, maddi yardımda bulunarak gruplar arasında rekabeti artırmakta ve bu grupları, siyasi ve ekonomik yönden zayıflatarak çoğunluğun dışında bırakmaktadır. Böylece siyasal yapı, kültürel bir mübadele stratejisi yürüterek verdiği haklar ve yardım karşılığında daha kolay yönetilebilir kültürel ve etnik gruplar meydana getirebilmektedir. Çağdaş demokrasiler, devleti renk, kültür ya da soya bakmaksızın herkesin ekonomik gereksinimlerini karşılamak için var olan bir pazar haline dönüştürmektedir; çünkü varlığını devam ettirebilmek için kitlelerin desteğini ve oyunu almak zorundadır. Bu yüzden devlet, sahip olduğu zenginliklerden, siyasal kaynaklardan ve haklardan zaman zaman ödün vermek durumunda kalır ve çokkültürlülük referanslarını kullanır. Ancak siyasal yapı, kullanılan çokkültürlülük referanslarına rağmen hak ve özgürlükleri bir seferde değil parça parça vermektedir. Çıkar maksimizasyonu ve mübadele açısından baktığımızda bu sürecin uzatılmasının gerekçesi, devletin geniş toplumsal yığınları kendine bağımlı kılma ve siyasal yapı ile halk arasındaki mübadeleyi daha uzun soluklu devam ettirmek istemesi olabilir.

Kültürel mübadele sürecinin bir tarafında devlet diğer tarafında ise bireyler vardır. Devletin stratejilerine karşılık bireyin kendini korumak ve faydayı artırmak için uyguladığı çıkar motivasyonlu taktikleri vardır. Bir kimse çoğunluğun dışında herhangi bir kültürel grubun ya da azınlığın üyesi olabilir. Ancak, bu kişinin hayatını devam ettirmesi çoğu zaman devletin kurumlaşmış kültürünü benimseyip benimsememesine bağlıdır. Bu kimse, gruplar arasındaki

ilişkiler, ekonomik, siyasi ve maddi çıkarları gibi faktörlere bağlı olarak çoğunluk kültürü ile veya azınlık kültürle özdeşleşmeyi, ya da her ikisi ile birden özdeşleşmeyi seçebilir. Maddi çıkar, gelir, kariyer, fırsat, iktidar ya da kendisi için çoğunluk kültürün daha iyi olduğunu düşündüğü için çoğunluğun kurumlaşmış kültürü ile özdeşleşmeyi seçebilir. Böyle yaparak çoğunluk kültüründen elde ettiği avantajları yitirmek istemez. Çıkar maksimizasyonu amacıyla yürütülen çokkültürlülük politikası ya da çoğunluk kültürüyle özdeşleşme kültürel mübadeleye bir örnektir.

Dört, kültürel mübadele ve kişisel çıkar doğru yönetilmediğinde sonuç başarısızlıktır: Tıpkı kamu tercihi teorisi modelinde öngörüldüğü gibi mübadelenin sonucunun bir başarısızlık haline dönüşmesi oyunun kurallarının yeterince iyi olmamasından kaynaklanabilir. Başarısızlığın ilk göstergesi kültürel çatışmaların varlığıdır. Aynı kültür grubu içinde veya farklı kültürel gruplar arasında çatışmanın sebebi ise kaynakların yetersizliği ve eşitsizlik duygusudur. Kültürel çatışmalarla ilgili iki varsayım ortaya atmak mümkündür. İlki; çatışmalar daha fazla çıkar elde etmek isteyen rasyonel bireylerin rasyonel ve stratejik eylemlerinin sonucu olabilir. İkincisi; belli kültürel bir grubun bireyleri açısından kârlı görünmeyen bir çatışma yürütülüyorsa o durumda grubun liderinin davranışları rasyonel tercih açısından değerlendirilir. İlk varsayım, çatışmaların bir tercih olabileceğini ve insanların bu çatışmalardan fayda sağlayabileceğini ima eder. Bu bağlamda çatışma “pozitif” olarak yorumlanabilir; çünkü insanların çatışma ortamından çıkabilmek için razı olacakları değişim ve dönüşüm aynı zamanda toplumun ilerlemesine katkıda bulunur. Bununla birlikte adil kurallar yerleşik olmadığından çatışmanın çözümsüz kaldığı, iletişim ve işbirliği imkanının ortadan kalktığı durumlar tüm taraflar için başarısızlık olacaktır. Örneğin homojen kültür ve çokkültürlülük politikaları bir başarısızlıktır. Homojen kültür açısı toplumda tek bir kültürün olduğunu varsayar ve devletin varlığını bu kültür üzerinden sağlamlaştırır. Öte yandan çokkültürlülük, ayrılık taleplerine olumlu yanıt verir ve fakat farklı kültürel grupları çoğunluktan dışlar ve izole eder. Her iki model de farklı kültürel gruplar arasında iletişim ve işbirliğini ortadan kaldırarak başarısızlığa neden olur.

Kültürel başarısızlıklarda grup liderlerinin yanlış yönetilen bireysel çıkarları da etkilidir. Liderler kendi konumlarını sağlamlaştırmak için farklı kültürel gruplar arasında çatışma çıkarabilir ya da çatışmaları ortadan kaldıracaktır. Örneğin mevcut durum barış terminolojisinin vurgulanmasını gerektiriyorsa liderler bu terminolojiyi kullanarak desteklerini artırabilir. Eğer çatışmalar sayesinde destek daha da artacaksa liderler, söylemlerinde kültürel ve kimlik farklılıklarını ön plana çıkarabilir. Benzer durum göçmen politikaları için de geçerlidir. Hem liderlerin göçmen politikalarını hem de yerleşik halkın göçmenlere davranışını belirleyen o göçmenlerden elde edilecek olan faydadır. Bir ülke ucuz iş gücü ve sosyal ve kültürel hayata katkıları nedeniyle göçmenlerin entegrasyonunu kolaylaştırırken bir diğer ülke işsiz sayısının çoğalacağı gibi ekonomik gerekçelerle sınırlarını tamamen kapatabilir. Tercih teorisinin bu uygulaması, mübadele ve başarısızlık analogileri sayesinde kültürel çatışmaların açıklamasında yeni bir bakış açısı getirmektedir.

Beş, devletlerin kültürel alana pozitif müdahalesi bedavacı (free-rider) sayısını artırmaktadır: Milli müzeler, tiyatro, sanat, televizyon, radyo gibi kanalları destekleyerek devletler kültürel kamu yararı üretmede etkindirler. Özel sektörün kültürel ürünler üretmeye ve dağıtımına kârlı olmadığı gerekçesiyle uzak durması, devleti herkes için daha ucuz veya tamamen bedava kültürel ürünler üretmeye iter. Ancak hangi ürünün üretilmesi gerektiği ve maliyetini adil olarak tespit eden bir kriter genelde yoktur. Hükümetler kendi kültür politikalarına göre üretime karar verir ve bu çerçevede toplumu yönlendirirler. Üretim süreci de ayrıca maliyetlidir. Üretimi gerçekleştirecek bürokrat, uzman ve diğer aktörler devlet tarafından istihdam edilir ve tüm giderler için önemli bütçeler ayrılır. Devletin bu maliyeti göze almasının nedenleri çıkar maksimizasyonu varsayımına göre kültürün araçsallaştırılmasıdır. Devlet, kültürel olana yatırım yaptıkça insanları benzer değerler etrafında toplaması ve dolayısıyla yönetmesi kolaylaşır. Enteresan olan ise insanların da devletin kültürel alana yatırım yapmasını istemesidir. Çünkü bu sayede kültürel aktivitelerden daha ucuza hatta bedava faydalanma imkanı yakalar. Karşılıklı bu çıkar alışverişi piyasa dengesini kaybedene kadar devam olumlu bir şekilde devam edebilir. Ancak devletin özellikle sanat alanına

müdahale etmesi ve bazı ürünleri değerinden daha ucuza sunması zaman zaman özel sektörün alandan tamamen çekilmesine neden olmaktadır. Ya da sanatçılar devlete çalışan memurlara dönüşmekte ve üretilen eserler devlet onayından geçmek zorunda kalmaktadır. Sanat alanında yaratıcılığı ve gelişmeyi öldürebilecek bu bedeli, taraflar daha ucuza ya da bedava yararlanabilmek adına göze almaktadır. Sonuç olarak kültür, kamu yararına dönüştürüldüğünde bedavacı (free rider) sorunu da kültürel alandaki başarısızlığa katkıda bulunmaktadır.

Altı, kültür ve kültürel haklar anayasalarda pozitif değil negatif haklar statüsünde ele alınmalıdır: Devlete, bireylerin özgürlüklerini engellememe ve sınırlamama görevi yükleyen negatif hakların temeli, doğal hukuk anlayışında yatmaktadır. Buna göre insanlar, sosyal sözleşme teorisinde öngörülen evrensel haklara sahiptir ve bu haklar, insana devlet tarafından bağışlanmadığı için devletin bu haklara herhangi bir müdahalede bulunması söz konusu değildir. Devletin görevi, bu hakların tanınması ve uygulanması için gereken önlemleri almak ve insanların bu haklardan yararlanmalarını sağlamaktır. Devlet tarafından ileri sürülecek hiçbir gerekçe negatif hakları yok saymayı ve uygulamamayı haklı gösteremez. Buna karşın pozitif haklardan kabul edilen ekonomik, sosyal ve kültürel haklar devletin müdahalesine açıktır. Negatif hakların tam tersine devletin, pozitif haklar yoluyla bireye ve topluma hizmet götürmesi beklenir. Kültürel hakları, pozitif hak olarak ifade ettiğimizde bu haklardan yararlanabilmek için bireylerin, siyasal yapının müdahalelerine açık hale geleceğini de kabullenmiş oluruz.

Kültürel hakların şimdiye kadar pozitif haklar kategorisinde değerlendirilmesinin önemli bir nedeni, uluslararası belgeler ve bu belgelerde kültür ve kültürel haklar kavramlarının tanımlarındaki kapalılıktır. Evrensel İnsan Hakları Beyannamesi, Uluslararası Ekonomik, Sosyal ve Kültürel Haklar Sözleşmesi ve Uluslararası Sivil ve Politik Haklar Sözleşmesi ile kültürün korunması ve kültürel haklar konusu, ulusal bir konu olmaktan çıkarak uluslararası hukukun ve uluslararası ilişkilerin bir ögesi durumuna geldi. Ancak kültür ve kültürel hakların ele alındığı bu belge ve sözleşmelerdeki kavramsal kapalılık, bu hakların uygulanması ve sınırların belirlenmesini de

güçleştirmektedir. Sözleşmeler, devlete toplumun kültürel yaşama katılmasını kolaylaştıran olanaklar sağlaması, yeni teknolojileri hizmete sunması, kültürel ve sanatsal etkinliklere ekonomik desteğini devam ettirmesi sorumluluğunu yüklemektedir. Ancak bu sorumluluklar, kültürel haklara müdahaleyi de meşru hale getirmektedir. Dahası adı geçen sözleşmelerdeki ilgili maddeler, herkesin kendi topluluk ve grubunun kültürüne katılma hakkına mı yoksa homojenleştirilmiş tek bir kültüre katılma hakkına mı sahip olduğunu da açıklamamaktadır. Bir kişinin çoğunluk kültürüne katılmamayı tercih edeceği durumdan ise hiç bahsedilmemektedir. Uluslararası sözleşmelerin hak ve özgürlükler için öngördüğü belli bir politik yapıdan söz edilebilir. Bu politik yapı, özellikle pozitif hakların ancak devlet sayesinde mümkün olduğu, devletten önce veya onun dışında pozitif hakkın olmadığı anlayışına bizi götürmektedir. Pozitif haklar sınıfında sayılan ekonomik ve sosyal haklar için belki bu iddia geçerli olabilir; ancak, kültürel hakların devlet müdahalesine açık pozitif hakların dışına çıkarılması ve bireysel haklar sınıfında anayasada belirlenmiş olması daha uygun görünmektedir. Çünkü devletin her ne amaçla olursa olsun kültür alanına müdahalesi tek tip ve homojen kültür anlayışını ve dolayısıyla başarısızlığı da beraberinde getirmektedir.

Yedi, bireysel tercihlerin kolektif tercihlere dönüştürülmesinde çoğunluğun baskısı riski vardır: Kenneth Arrow'un iddia ettiği gibi demokratik yönetimlerde dahi bireysel tercihlerden sosyal tercihlere geçiş her zaman demokratik sonuçlar üretmeyebilir. Kültürel konular söz konusu olduğunda da benzer bir durum geçerlidir. Genel kabul, kültürel hakların birey değil grup hakkı olduğu şeklindedir. Buna göre kültür ve kimlik ancak bir gruba üye olmak ve aktivitelerine katılmakla mümkündür. Öte yandan kültürel çeşitlilik ve farklılıklar da azınlık, grup veya benzer genel kavramlar çerçevesinde ele alınmaktadır. Tek tek rasyonel kararlardan rasyonel bir kolektif sonuca ulaşamadığımıza göre kültürel hakları bir grup hakkı olarak kabul etmenin gerekçesini bulmak güçtür. Gerekçelerden biri kültür ve kimlik alanını irrasyonel olarak tanımlamaktır. Ya da grupları yönlendirmek ve hareketlendirmek daha kolay olduğundan kültür ve kimlik bir strateji olarak kullanılıyor olabilir. Bununla birlikte kültürel bir grubun çoğunluğu elde etmesi

durumunda diğer farklı grupları kendi varlığı için bir tehdit olarak göreceği de açıktır. Çünkü bir grup kendi kimliğini öteki üzerinden belirler. Böylece özgürlük adına bir kültürel gruba hakları verilirken başka bir kültürel grubu azınlık durumuna getirmek ve ayrımcılığa yol açmak mümkündür. Şayet çoğunluk grubu kültürel haklarını belli bir mücadele veya müzakere sonucunda elde etmiş ise diğer kültürel gruplardan ayrıldığı noktaları daha belirgin hale getirecektir. Çoğunluğun kültür ve kimliğinin devlet tarafından da desteklendiği durumda kamu yararı altında devlet imkanlarından yararlanma artarak devam ederken diğer gruplar sınırlandırılarak gettolaşacaktır. Tercih teorisinin bu uygulamasına göre böyle bir sonuç, bireyden devlete her bir kültürel aktörün davranışlarına getirilecek anayasal sınırlamalarla önlenebilir.

Son olarak, kültürel aktörler kültür ve kimlik alanında ilke olarak sınırlandırılmalıdır: Anayasal İktisat teorisinin uygulamasını gerçekleştirdiğimiz bu son aşamada, teoride öngörülen ekonomik sınırlamaları kültür ve kimlik konularına şu dört çerçeve ilke ile uyarlanabilir: [i] Her birey kültürel haklara sahiptir; çünkü bireyin kimliğinin gerçekleşmesinin bir gereği olarak kültür bir haktır. [ii] Kültür ve kimlik hakkı bireysel bir haktır ve iyi yönetilen bireysel çıkarlar tarafından haklı kılınır. [iii] Kültür ve kimlik anlamları, içerikleri, sınırları belirlenmiş, değişmeyen öze sahip nesnel varlıklar değildirler. Aksine, kültür ve kimlik, tarihsel olarak inşa edilmiş bir gerçekliktir. [iv] Kültürel haklar negatif hak kategorisinde ele alınmalı ve uzlaşmaya varılan kurallarla sınırlandırılmalıdır. Kuralların, hem bireyin hem de siyasal iktidarın karşılıklı sınırlarını belirleyerek müdahale ve manipülasyonu engelleyebilecek yapıda olması beklenir.

III- Eleştiri

Yukarıda rasyonel tercih, kamu tercihi ve anayasal iktisat modellerini açıkladıktan sonra bu modelleri bireyden devlete tüm aktörlerin kültürel davranışlarına uyarlamaya çalıştık. Bu uyarlamanın asıl amacı modellerin işlerliğini görebilmektir. Eğer adı geçen teoriler bir model olarak kültürel davranışların öngörülebilirliğini artırır ve motivasyonlarını açıklayabilirse teorisinin kapsayıcılığı ve rasyonel davranışları açıklama kapasitesi daha da

kuvvetlenmiş olacaktı. Dahası, model testi başarıyla geçerse bu pek çokları tarafından karmaşık ve irrasyonel olarak kabul edilen kültürel alanı rasyonel hale getirmenin bir yolunu gösterecekti. Ya da tam tersi davranışları açıklamada yetersiz kalırsa bu da modelin eksiklerini daha iyi ortaya koyabilmek için bize daha fazla veri sağlayacaktı. Ayrıca uygulama üzerinden modele yöneltilecek eleştirilerle araçsal rasyonalite tartışmasının çerçevesi daha belirgin hale getirilecekti. Bu çalışma, modellerin kültürel davranışlara uygulanmasında görece bir başarısına rağmen on ayrı başlık altında eleştirilebilir olduğunu gösterdi:

[1] *Modellerin bireyi çevreden tamamen soyutlanmış bir biçimde tek başına ele almaları reel hayatla uyumlu değildir*: Uygulamanın gösterdiği problemlerden ilki, tercih teorilerinin toplumda var olan karmaşık ilişkileri göz ardı etmesi ve ortaya çıkan kolektif irrasyonelliklere ilişkin bir açıklamasının olmamasıdır. Hâlbuki reel yaşam, birkaç varsayıma dayanan dar bir rasyonaliteden daha fazlasını gerektirir. Tercih teorileri, alternatif setimizi ve tercihlerimizi verili kabul ederken bu setin oluşumunu, içeriğini ve dış faktörleri tartışmaz. Oysa çevresel faktörler ve diğer rasyonel bireylerin varlığı, yalnızca her bir tercih setinin içeriğini belirlemekle kalmaz setleri de birbirinden farklı kılar. Tercih teorileri ise belli durum ve şartlarda tüm setleri aynı kabul ederek genel geçer varsayımlarda bulunur. Tüm sosyal kurumları bireysel tercihlere indirger ve aralarındaki etkileşimleri hesaba katmaz. Şu halde tercih teorilerine, ilk olarak, bireyler arası etkileşim ve dış etkenleri göz ardı ettikleri için dar bir rasyonalite tanımından hareket ettikleri eleştirisi yöneltilebilir. Öte yandan tercih teorileri kaynakların sınırlılığı meselesine vurgu yaparken asıl problemin diğer insanların varlığı olduğunu görmez. Şayet insan sayısı daha az olsaydı kaynaklar herkes için daha yeterli olacak ve bireyler birbirleriyle rekabet etmek zorunda kalmayacaktı. Oysa kaynakların sınırlı olması olgusu ile birlikte diğer rasyonel bireyler, rekabete, alternatifler arasından en iyi tercihi seçmeye veya işbirliğine zorlamaktadır.

[2] *İnsanlar sınırlı rasyonaliteye sahiptir*: Rasyonel tercih teorileri, bireyi tam ve mükemmel bilgi sahibi olarak çevre, tarih ve kültürden tamamen bağımsız bir şekilde kurgulasa da son zamanlarda bu görüş yoğun eleştiriler

almaktadır. Özellikle insanların karar verirken tüm alternatiflerinin bilgisine tam olarak vakıf olduğu ve bunları birbiriyle mükemmel bir şekilde kıyaslayabildiği savı, psikolojik ve sosyolojik testler tarafından doğrulanamamaktadır. Tam aksine Herbert Simon'un da iddia ettiği gibi bilgi, aynı çevrede yaşayan insanlar arasında bile eşit bir şekilde dağıtılmamaktadır. Hatta bilgiye erişim kültürden kültüre belirgin bir şekilde değişiklik göstermektedir. Tüm insanların bilgiye eşit oranda erişebildiklerini varsaydığımızda bile zihinsel ve bilişsel farklılıklarından dolayı tüm alternatifleri benzer şekilde hesap ettiklerini söyleyebilmek güçtür. Bu yüzden Simon, insanların hesaplama ve ölçümü yapabilecek sınırsız değil sınırlı bir kapasiteye sahip olduklarını iddia eder ve bu iddiasını makas metaforuyla pekiştirir. Makasın bir tarafı bireyden kaynaklı kapasite sınırlılıkları iken diğeri sosyal ve çevreden kaynaklı sınırlamalardır. Elbette bu düşüncesiyle Simon, irrasyonelliği savunmamakta aksine belli sınırlılıklar altında hala rasyonel olunacağını iddia etmektedir.

[3] *Araçsal rasyonalite irrasyonel karar ve davranışları açıklamakta yetersiz kalmaktadır:* Oyun teorisinin en çok tartışılan örneklerinden mahkûmlar ikilemi, çıkarlarını maksimize etme stratejisiyle hareket eden oyuncuların tam ve mükemmel bilgi sahibi oldukları iddiasına rağmen daha avantajlı seçenekleri gözden kaçırabileceklerini gösterir. Oyun genelde şu şekilde hikâye edilmektedir: Yakalanan iki kişinin bir banka soyduklarından şüphelenilmektedir. Ancak buna dair kanıt yoktur. Şüpheliler birbirini duyamayacak şekilde ayrı ayrı sorgulanır ve kendilerine şu teklifte bulunulur: İkisi de suçlarını inkâr ederse 2'şer yıl, itiraf ederse hapis cezaları 3'er yıl olacaktır. Ancak, biri itiraf eder, diğeri inkâr ederse; itiraf eden 1 yıl, inkâr eden 10 yıl hüküm giyecektir. Diğer oyuncuyu hesaba katmaksızın tek bir oyuncunun stratejisi açısından düşündüğümüzde itiraf etmek daha rasyonel gelmektedir. Çünkü diğer mahkûmun ne karar vereceğine dair bir bilgimiz yoktur ve diğer mahkûm inkâr ederse itiraf eden sadece bir yıl hapis yatacaktır. Her iki oyuncu da itiraf eder ve sonuç 3'er yıl mahkûmiyettir. Hâlbuki her ikisi de diğer oyuncuya tam olarak güvenebilmiş olsaydı inkâr edip 3 yerine 2'şer yıl hapse kalacaklardı. Mahkûmlar İkilemi pek çok açıdan tartışılabilir ancak

oyunun asıl vurguladığı, işbirliği yapmanın yapmamaya oranla daha kazançlı olmasına rağmen tarafların işbirliği yapmayarak zararlı çıkmalarının doğurduğu paradokstur. Oysa insanların tam ve mükemmel bilgiye sahip olması durumunda böyle bir paradoksun ortaya çıkmaması gerekirdi. Dolayısıyla oyun, bireysel davranmakla işbirliği yapmak arasındaki çelişkiyi ortaya koyarken insanların karar verme sürecinde çıkarlarını tam ve mükemmel olarak maksimize edemediklerini de göstermektedir. Bu durumda insanların sınırsız bir hesaplama kapasitesine sahip olduklarını iddia etmek gerçekçi olmayacaktır.

[4] *Tercih teorilerinin davranışın bir parçası olan algı, inanç, niyet ve istek gibi konuları teorinin dışında bırakması absürt sonuçları kabul etmeyi gerektirebilir:* Daha önce de ifade edildiği gibi tercih teorileri açısından mesele bir insanın inanç, istek ve arzu setlerinin dışında ne seçmesi gerektiğinin dikte ettirilmesi değil aksine bu sistemler dahilinde tutarlı tercihlerde bulunmasıdır. Örneğin şöyle bir inanç seti tutarsız olacaktır: [i] A'yı yapmayı arzu ediyorum. [ii] A'yı yapabilmem ancak B'yi yapmayı istememle mümkün olabilir. [iii] B'yi yapmak gibi bir isteğim yok. Tutarsızlık yani irrasyonelite durumunda – A'yı yapmaya istekli olmak ve B'nin A için zorunlu bir araç olduğuna inanmakla beraber B'yi yapmayı istememe durumu– bu tutarsızlığın giderilme yolu tercih teorileri tarafından normatif olarak gösterilememektedir. Bu özelliği araçsal rasyonalitenin değer bağımsız olduğu görüşünü destekler gibi görünmektedir. Çünkü verilen ilkeler, sadece şekilsel olarak araçların amaca ulaştırma başarısını ölçmektedir. Amacın kendisini verili olarak kabul ettiği için ahlaki bir değerlendirmeye de tutmamaktadır. Elbette bu durum, Jon Elster'in de işaret ettiği gibi bazen absürt sonuçlara neden olmaktadır. Örneğin eğer bir kimse başka birini öldürme yönünde dayanılmaz bir arzu taşıyorsa ve bunu yapmanın en iyi yolunun (ya da bir yolunun) o kişiyi simgeleyen bir bebeğe iğne batırmak olduğuna inanıyorsa, o zaman o bebeğe iğne batırdığında rasyonel davranmış olur. Rasyonaliteyi sadece belli şekilsek ilkelere uyumla sınırladığımızda böyle bir absürtlükle karşılaşmak mümkün görünmektedir. Bundan çıkışın bir yolu, rasyonaliteyi araçsal olana indirgemeksizin inanç ve niyetlerin tözsel olarak rasyonalitesini sorgulamaktan geçer. Diğer bir deyişle, niyet ve arzuların içeriğini normatif bir değerlendirmeye tabi tuttuğumuzda

Elster'in ifade ettiđi türden eleştirileri haklı kılacak durumlardan uzaklaşmak mümkün olabilir.

[5] *Kurumlar bütünüyle bireylere indirgenemez*: Tüm yapıları bireye indirgediğimizde birey tercihlerinden kamu ve sosyal tercihlere dönüşümün gerçekten mümkün olup olmadığı ve tek tek bireylerin refahından toplumsal refaha nasıl ulaşırız meselesi hala cevap beklemektedir. Metodolojik bireycilik toplumsal refahı bireylerin refahının toplamı olarak kabul ederken bireylerin arzu, istek ve tatminlerinde homojen olduğunu varsaymaktadır. Bu varsayıma göre toplumsal refah, bireylerin tercihlerinin aritmetik bir ortalamasıdır. Dolayısıyla rasyonalite bireylerin heterojenliğine rağmen bir matematik işleme indirgenmektir. Ne var ki daha kapsamlı bir analiz ve açıklama için toplumsal olana dair ölçülemezlik ve hesap edilemezlik de dikkate alınmak durumundadır. Halihazırda metodolojik bireyciliğin bireylerin tümünün maksimize edici olduğuna dair deneysel bir desteđi de yoktur. Tecrübi zayıflığın yanı sıra Kenneth Arrow, Olanaksızlık Teoremi'nde (Impossibility Theorem) teorik olarak belli aksiyomların kabulü durumunda bireysel tercihlerden demokratik bir sosyal tercihe deđil tam aksine diktatörlüğe gidileceğini savunmuştur. Özellikle günümüz demokrasilerine yöneltlen bir eleştiri olarak bu teorem, Arrow'un koşullarını sağlayan tek sosyal seçim kuralının diktatörlük olduğu sonucuna ulaşır. Bununla birlikte Saul Kripke, Wittgenstein'in kural takibi (rule-following) teorisini yorumlarken bireylerin zihinsel ya da biyolojik varlıklara indirgenemeyeceğini ifade eder. Zihin, toplumdaki sınırsız durumların hepsini belirlemede yeterli deđildir. Buna göre bir kelimenin, bir cümlenin dođru ya da yanlıř kullanımı sosyal bağlamından ve insanların o ifadelere verdikleri anlamdan yola çıkarak tespit edebiliriz. Çünkü Wittgensteinci anlamda insanların tercih, inanç ve niyetleri sosyal pratiklere ayrılmaz şekilde bağlıdır.

[6] *Sosyal normların çıkar maksimizasyonu ile ilişkilendirilebilir yönleri vardır*: Sosyal normların kesinlikle çıkar maksimizasyonu ile alakalı olmadığına dair sosyal hayattan pek çok diđerkamlık örneđi verilebilir. Örneğin insanların yardım derneđi ya da vakıf kurmaları, ihtiyacı olanlara yardım etmeleri ya da aile bireyelerine yönelik davranışları sadece çıkar

maksimizasyonu motivasyonu ile açıklanabilir değildir. Bu güçlü örneklere rağmen insanların sosyal hayatta prestij elde etmek veya vergiden muaf olabilmek için yardım kuruluşlarına yöneldikleri durumlardan bahsetmek de mümkündür. Normların oluşum sürecinin analizi de bu bağlamda önemlidir. Normlar, insanların uzun süreli tecrübelerine dayanarak oluşur. Mahkumlar ikilemi ya da geyik-tavşan oyunlarını defalarca oynayan insanlar zamanla elde ettikleri kazanımlara göre stratejilerini değiştirirler. İlk denemede işbirliği yapmayan oyuncular, daha çok kazanç elde etmek için sonraki oyunlarda işbirliği yapmaya kararlar verebilirler. Aslında normların büyük bir kısmı, insanların yüzyıllardır oynadıkları oyunların bir sonucudur ve zamanla değişime de açıktır. Öte yandan insanların normları takip etmesinde ödüllendirilme beklentisi ve cezadan kaçınma da olabilir. Örneğin trafikte kırmızı ışıktaki durma kuralını takip etme hayatı riske atmamakla ilgilidir. Yoksa kırmızı ışığın kendisi doğası gereği durmayı gerektirmez. Dolayısıyla sosyal ilke ve normların da rasyonel tercih açısından ele alınabilecek yönleri vardır. Elbette bu, tercih teorilerinde olduğu gibi dar bir rasyonalite bakış açısını değil daha geniş bir rasyonalite anlayışını gerekli kılar.

[7] *Kültürel ve sosyal normların zamanla değiştiği ve evrildiği düşüncesi davranışları açıklamada rol oynayabilir*: Bu düşünce hem kültürün insanlar arasında dinamik bir etkileşimin sonucu olduğu ve hem de sonraki nesillere aktarılırken teste tabi tutulduğunu açıklama kapasitesine sahiptir. Model ve uygulamadan da görüldüğü üzere tercih teorileri değişim ile doğrudan ilgili değildir. Ancak değişim hesaba katılmadığında kültürel davranışın tam bir analizi de mümkün olamayacaktır. Evrimsel açıklama ise değişim ile birlikte insanlar arası etkileşimin kültürel ve sosyal normları dönüştürme kapasitesi hakkında bilgi verir. Örneğin geyik-tavşan oyununda belli bir zamanda ve bölgede insanların işbirliği yaparak geyik avlamaktansa tek başına tavşan avlamayı tercih etmelerinin gerekçesini verebilir. Eğer zamanla aynı bölgede tavşandan geyiğe geçiş yani tek başına hareket etmekten işbirliğine yönelik bir tercih değişikliği olursa bunu da değişen dinamikleri gözeterek öngörebilir. Dolayısıyla tercih teorilerinin evrimci bakış açısından faydalanan normların yönlendirdiği davranışları açıklayabilmesi daha muhtemeldir.

[8] *İnsanın sadece homo economicusa indirgenemeyecek farklı davranış motivasyonları vardır:* Amartya Sen'in Adam Smith'in düşüncelerinden etkilenerken ileri sürdüğü eleştirilerden biri tercih teorilerinin davranışı analiz ederken tüm motivasyonlarıyla davranışı ahlaki olandan ayırmalarıdır. Sen'e göre tercih teorileri Smith'i kendilerine referans olarak alsalar da onun vurguladığı sempati, basiret, taahhüt, irade gücü gibi insanın ahlaki yönünü ortaya koyan niteliklerini görmezden gelir. Ne var ki Sen'e göre insan davranışı ve motivasyonu bir bütün olarak ele alındığında daha doğru ve öngörülü bir açıklamada bulunulabilir.

[9] *İkilemlerden kurtulabilmek için daha fazla ampirik desteğe ihtiyaç vardır:* Tercih teorileri varsayımları itibariyle basit ve güçlü görünseler de yeterli deneysel bulgularla destelenmedikleri için açıklarını *ad hoc* çözümlerle kapamaya çalışırlar. Donald Green ve Ian Shapiro bu durumu tercih teorilerinin bir patolojisi olarak adlandırır. Çünkü tercih teorisi modelleri, insanların rasyonel oldukları varsayımına dayanarak kesinlik ve öngörülebilirlik iddiasında olsa da irrasyonel davranışların varlık gerekçesini açıklamada yetersiz kalmaktadır. Örneğin akla gelen sorulardan biri şudur: insanlar zaman ve enerji kaybına rağmen neden oy vermeye devam ederler? Fayda-zarar hesaplaması yapıldığında oy vermenin rasyonel olmadığı, bir kişinin oyunun sonuçlara oranından bellidir. Yine de neden insanlar tüm maliyeti göze alarak oy verirler? Tercih teorileri dar rasyonalite anlayışları çerçevesinde bu sorulara ikna edici cevap verememektedir. Daha güvenli testler uygulanmadığı ve yöntemde değişikliğe gidilmediği sürece tercih teorilerinin ürettiği paradokslar tartışılmaya devam edecektir.

[10] *Adil ve doğru anayasal kurallar, kural yapıcılardan bağımsız değildir:* Kamu tercihi teorisi anayasa yapım sürecini kurallar tarafından yönetilen bir oyun olarak görür. Bürokrat ve politikacılar dahil olmak üzere herkes için adil kurallarla sınırlanmadığı sürece tüm politik aktörlerin kötü yönetilen çıkar maksimizasyonu ile hareket edeceğini ve başarısızlığa yol açacağını varsayan kamu tercihi teorisi, çözümün kuralların kendisini iyileştirmek olduğunu savunur. Politik aktörlerin sistemi kendi çıkarlarına göre yorumlama ve yönetme riski her daim olduğundan güvenilebileceğimiz tek nokta

her aktörü sınırlayacak olan anayasal kurallardır. Böylece kamu tercihi teorisi tüm politik süreci romantik bir kamu yararı terminolojisinden uzaklaştırarak rasyonel ve gerçekçi bir oyun ve bu oyunun kuralları meselesine dönüştürür. Ancak sorun teorinin bu kuralları yapacak kural koyucuların niteliklerinden bahsetmemesidir. Aktörlerin tümüne sınırlamalar getirecek bu kuralların yapıcısı kimdir? Onların herkes için en adil kuralları tespit edeceğine nasıl güveneceğiz? James Buchanan ilk çalışmalarında kurallar için oybirliği şartı getirerek bu sorunu çözmeye girişse de bu oybirliği şartının gerçekçi olmadığını görerek gevşetmek zorunda kalmıştır. Üstelik tarihsel olarak anayasa yapım süreçleri incelendiğinde Buchanan'ın şartlarını yerine getirebilecek çok fazla anayasadan söz etmek de mümkün değildir. Öte yandan farz edelim ki en adil kurallar tespit edildi ve anayasada yer verildi. Fakat bu kuralların tatbiki ve yorumu da yine kural uygulayıcılar tarafından gerçekleştirilecektir. Bu durumda insanların yorum aşamasında kuralları çıkarları için manipüle edip etmeyeceğinden yine emin olamayız. Dolayısıyla çoğunluk kuralı ve sınırlamalar getirerek kültürel davranışlar için nötr bir anayasa belirlese bile bu kuralların işlerliği yine uygulayıcılara bağlı olacaktır. O halde tercih teorileri anayasal sınırlamaların uygulanabilmesi için kurallar kadar oyuncuların da fonksiyonunu göz önünde bulundurmalıdır.

Bu çalışmada yer verilen tercih modelleri, bunların kompleks bir davranış alanına uygulaması ve eleştirisi; karmaşık ve farklı hayat formlarına daha duyarlı, davranışların motivasyonlarını açıklamada daha kapsayıcı ve öngörülü yeni bir modele ihtiyaç olduğunu göstermektedir. Dar rasyonalite, bize görelî bir perspektif ve kesinlik sağlar ancak birbirinden farklı davranışların gerekçesi ile ilgili yeni bir bilgi vermekte yetersiz kalır. Sonuç olarak bu tez şu iki sonucu ulaşmıştır: ilki, şimdiye kadar çoğunlukla rasyonaliteden uzak kabul edilen kültür ve kimlik alanı geniş bir rasyonalite perspektifinden açıklanabilir verilere sahiptir. İkincisi, tercih teorileri yukarıda sıraladığımız eleştiriler doğrultusunda kompleks davranışları, motivasyonları, aktörleri ve bu aktörler arasındaki etkileşimi hesaba katıp modeli yeniden gözden geçirdiğinde daha fazla alana uygulanabilir olacaktır.

APPENDIX C.TEZ FOTOKOPİSİ İZİN FORMU

ENSTİTÜ

Fen Bilimleri Enstitüsü	<input type="checkbox"/>
Sosyal Bilimler Enstitüsü	<input checked="" type="checkbox"/>
Uygulamalı Matematik Enstitüsü	<input type="checkbox"/>
Enformatik Enstitüsü	<input type="checkbox"/>
Deniz Bilimleri Enstitüsü	<input type="checkbox"/>

YAZARIN

Soyadı : KILINÇ ADANALI
Adı : Yurdağül
Bölümü : Felsefe

TEZİN ADI (İngilizce) : RATIONAL CHOICE THEORY: ITS MERITS
AND LIMITS IN EXPLAINING AND PREDICTING CULTURAL
BEHAVIOR

TEZİN TÜRÜ : Yüksek Lisans ☐ Doktora ☒

1. Tezimin tamamından kaynak gösterilmek şartıyla fotokopi alınabilir. ☐
2. Tezimin içindekiler sayfası, özet, indeks sayfalarından ve/veya bir bölümünden kaynak gösterilmek şartıyla fotokopi alınabilir. ☐
3. Tezimden bir (1) yıl süreyle fotokopi alınamaz. ☒

TEZİN KÜTÜPHANEYE TESLİM TARİHİ: