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## **On Kenneth Binmore's *Natural Justice***

*Abstract:* Ken Binmore has written an exciting book and I am in complete agreement with his objectives and conclusions. But his approach is flawed because of his reliance on tools of analysis to understand the way the mind and brain have developed that are not up to explaining our evolving understanding of the human environment.

*Natural Justice* is an exciting book that derives moral principles from evolutionary theory. The principles are strongly influenced by David Hume and I find myself in such complete agreement with Binmore's objectives that I hesitate to criticize. But while the conclusions are consistent with my own beliefs, I believe the approach is fundamentally flawed because it is based upon an erroneous view of the way in which the human mind and brain evolved in terms of achieving comprehension of the human environment. The flaws can be traced to firstly, limitations of game theory as an explanatory framework; secondly, problems of confronting a non-ergodic world, and thirdly, employment of the term "memes" as an explanatory category.

Let me begin with the first point. Game theory, which is the tool Binmore uses to frame his analysis, is simply unable to deal with the richness of the way in which human societies have evolved over time and the way in which the mind and brain have evolved. Binmore is aware of the limitations of game theory, and on page 197 of his book, he specifies these limitations himself very well indeed. We need a richer context in order to understand the way in which human society has evolved over time and the way, therefore, moral principles have come into play. In order to achieve a richer understanding we must take into account the evolution of beliefs and institutions as well as genes.

Secondly, a major problem with the book's argument is that it does not recognize that it is a non-ergodic world. In such a world we are continually evolving in new and novel ways; therefore the past is not necessarily a good guide to policy in the present and the future. We need a better understanding of how the mind and brain interpret the external environment and that entails exploring not only our genetic history but also our cultural heritage.

Thirdly, evolutionary theory is built around genes and the culturally derived constraints which are broadly the beliefs and institutions we inherited from the past. Binmore subsumes these under the term "memes", a term derived from Richard Dawkins, who describes memes as a parallel concept to genes. Moreover Dawkins' memes operate just like genes. This approach ignores the rich literature

on the new institutional economics which deals with issues about the way in which human beings structure the environment derived from their cultural past. Institutions are built up from formal rules, informal norms of behavior, and the way they are enforced. Institutions are at the heart of the way in which human beings not only understand the past but structure the present so to deal with uncertainties of a non-ergodic world.

The degree to which human beings 'get it right' is therefore a function of how they understand this external world but because it is a non-ergodic world there is no guarantee that human beings are going to get it right. As a result it is institutions that are the key to whether human beings evolve an evolutionary theory of moral character which not only is consistent with our evolving environment but also allow us to confront effectively an ever changing novel world. In the face of the uncertainty inherent in a novel world, the ideal institutional framework is one of 'adaptive efficiency'. By adaptive efficiency, I mean a structure in which the society creates a set of institutions that allows and encourages trial and error so that in the face of true uncertainty we improve the likelihood that human beings will arrive at a solution to new and novel problems as they continually evolve. This approach is essential if human beings are to have a successful evolutionary development in the face of a non-ergodic world. And it is important to understand the institutional source of adaptive efficiency if one is going to be able to construct a theory of moral principles that will survive over time. In conclusion let me say again, this is an exciting book. I think it could be improved by understanding more about the way in which institutions and adaptive efficiency occur so that it could confront these problems more effectively.

## Bibliography

Binmore, K. (2005), *Natural Justice*, Oxford-New York