

CONVENTIONS, NORMS, AND CONTRACTS

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Tuesdays 2-4pm (starting Week 2), Law Go6

1. OVERVIEW

Norms and conventions are an important, though still somewhat underexplored, topic in philosophy, especially in ethics and social philosophy. Social, moral, and political life can be understood as a system of norms that organize behavior among individuals who benefit from and are committed to various aspects of social life but who cannot unilaterally impose or invent the norms they live under. Norms are often used to solve coordination and conflict problems through the creation of normative conventions that are stable over time. These can be conventions about how strangers relate to one another, how rank is signified, dining manners, general etiquette, as well as moral and political norms. Often any given convention of social norms will overlap with many of these different categories.

The investigation of norms and conventions is particularly interesting because it blurs the line between the descriptive and the normative, between is and ought. Indeed, our investigation in this seminar will hopefully lead you to think carefully about how we should understand this distinction in the context of social, moral, and political norms. Norms and conventions are also philosophically interesting because of how they relate individual rationality to social order. Social contracts are more studied than norms and conventions, but we learn a considerable amount by looking at social contracts and methods of agreement generally in the context of norms and conventions.

Many norm conventions are not the product of explicit design; instead they are, as Adam Ferguson noted, results of human action, but not human design. This raises interesting questions about the rationality of following norms and the possibility of evaluating norm conventions. We will also see that conventions of norms often play an important role in social life. It may be possible then to evaluate the norm structures by the functional role they play and to see them as a kind of “social technology” that may or may not play their roles well. This approach will be in sharp contrast with most moral and political philosophy that tends to see claims about morality and justice as facts that are, in some sense, given.

We will begin by looking at David Lewis’s groundbreaking work *Convention* and related secondary texts. We will then move on to look at norms through the work of Cristina Bicchieri and by reading Shaun Nichols’s *Sentimental Rules*. We will end by reading Brian Skyrms’s work, *Evolution of the Social Contract*. In the process you will be expected to learn (if you don’t already

know) some rudimentary game theory, decision theory, and even evolutionary theory.

2. READINGS

This seminar will make significant demands on you in terms of the reading. You will likely find many of them difficult. Some of the readings will require some background knowledge in the history of moral philosophy or, in some cases, economics—make note of anything that seems odd in the reading or that you don't immediately understand and we will discuss some of those issues in the seminar. If you are more comfortable emailing questions you have about the reading before class, that is fine too but I will not, for the most part, respond to the questions via email. Rather I will address them in class because it is likely more than one person had a similar question.

Many of the readings will presume some knowledge of game theory and economics. There are many excellent resources on the web that provide primers in game theory and basic economic concepts, but if these areas are new to you, I recommend Gerald Gaus's *On Politics, Philosophy, and Economics* and Ken Binmore's *Playing for Real – A Text on Game Theory*. You may want to buy them for your own reference. Brian Weatherson (once a Monash Philosophy Honors student like yourself) has helpful notes available online that I will link to on Moodle.

I expect students to come to the seminar prepared to discuss the readings and to go beyond them. The readings are, in many ways, just a starting point for the discussion in the seminar but it will be impossible to probe some of the deeper issues that they raise if you are not already familiar with the readings. Doing philosophy well requires that you have a diverse range of ideas to draw on so that you can see problems in new ways and possibly find solutions or new ways of thinking that other may have missed. This requires a depth of knowledge that only comes from reading and understanding the great thinkers who have come before you.

While reading and writing are solitary pursuits, philosophy is also done collaboratively in the seminar room through discussion. I expect everyone to contribute to the discussion and to remain respectful throughout. You should not free ride on the contributions of others, but instead be prepared to contribute each seminar. Mere cleverness is no substitute for insight that comes from the deep reflection on serious problems. All of this will require a good amount of work but I think you will find the rewards will be substantial.

Required Reading:

David Lewis, *Convention*

Shaun Nichols, *Sentimental Rules*

Brian Skyrms, *The Evolution of the Social Contract*

Other Readings on Moodle

3. SCHEDULE

N.B. The exact order and details are subject to change

1. Week 2—Introduction to Conventions

Reading:

- i. David Lewis, *Convention* Chapter 1

2. Week 3—Convention and Coordination

Readings:

- i. David Lewis, *Convention* Chapter 2
- ii. David Gauthier “Coordination”

3. Week 4—Social Norms

Readings:

- i. Cristina Bicchieri, “Norms of Cooperation”
- ii. Cristina Bicchieri, “Norms, Preferences, and Conditional Behavior”
- iii. Herbert Gintis, “Social Norms as Choreography”

4. Week 5—Moral Psychology of Conventions and Norms

Readings:

- i. Shaun Nichols, *Sentimental Rules* Chapter 1
- ii. Shaun Nichols, *Sentimental Rules* Chapter 2

5. Week 6—Reason and Sentiment

Readings:

- i. Shaun Nichols, *Sentimental Rules* Chapter 3
- ii. Shaun Nichols, *Sentimental Rules* Chapter 4

6. Week 7—The Evolution of Norms

Readings:

- i. Shaun Nichols, *Sentimental Rules*, Chapter 6
- ii. Shaun Nichols, *Sentimental Rules*, Chapter 7

7. Week 8—Norms to Contracts

Readings

- i. David Lewis, *Convention* Chapter 3
- ii. Ostrom, Walker, and Gardner, “Covenants with and Without a Sword: Self-Government is Possible”

8. Week 10—Vernon Smith Visit and Workshop

- i. Background Reading on Moodle
- ii. Attend Workshop and Public Talk in CBD

9. Week 11—Evolution of Fairness

Reading:

- i. Brian Skyrms, *Evolution of the Social Contract* Chapter 1
- ii. Brian Skyrms, *Evolution of the Social Contract* Chapter 2
- iii. Brian Skyrms, *Evolution of the Social Contract* Chapter 3

10. Week 12—Correlations and Meaning

Readings

- i. *Evolution of the Social Contract*, Chapters 4—postscript

4. ASSESSMENT

Assessment Task	Weight	Due Date
Introduction	20%	Throughout
Essay Plan	15%	Before Week 10
Final Essay	65%	21 October or 4 November

Introduction

To aid the discussion, each student (whether enrolled or not), must give an introduction to a seminar session. These introductions should be short (5-10 minutes max) and should set up the main ideas, themes, and end with 2-3 questions or challenges to start the discussion.

Essay Plan

The main assessment exercise for this unit is a long final essay. In order to improve the quality of those essays, each student is required to submit a brief essay plan that identifies the thesis of the proposed paper, any supporting sub-arguments, and the intended references. The essay plan should be delivered *as a hard copy* to me in person during a consultation in my office. There will be a link to schedule the consultation on Moodle. This consultation should be scheduled no later than Seminar 8 and may be scheduled any time before that. If you decide to change your topic substantially after our consultation, you should briefly talk to me again, but you will not need to submit another essay plan. If, however, I deem the essay plan to be inadequate, I may ask you for a revision.

Final Essay

The final essay will be based on the topic from your essay plan of no more than 4,500 words. A more detailed rubric and tips on writing a good essay will be posted on moodle.