

### **Yochai Benkler, *The Penguin and the Leviathan***

In this readable book Harvard Professor Yochai Benkler elaborates his views about the level of cooperation in society. Taking issue with the ‘cynical and unflattering views of human nature’ as ‘universally and inherently selfish’, Benkler suggests a broader view of human nature, including ‘our better selves’. Basing himself on recent findings in areas as diverse as biology, behavioral economics, social psychology, anthropology, political science and law, Benkler explains phenomena such as the commercial success of Southwestern Airlines, Toyota’s production process approach, and the emergence of Wikipedia and open source free software, to which both paid and unpaid developers contribute. The author argues that these phenomena are inexplicable on the basis of the traditional view of human nature. This view adopts the assumptions underlying Thomas Hobbes’ *Leviathan* (1651): the superior power exercised by the state protects us against the wilderness of humans, who are considered innately selfish and nasty to one another. Benkler describes the history of the control systems of the powerful state (Leviathan) and of the Invisible Hand (market-based results of ‘common wealth’ resulting from each individual’s pursuit of self-interest) taking the upper hand in alternating waves. The author contrasts the Leviathan perspective with a view of humans as capable of empathy, acting morally out of their own suasion, cooperatively and generously. He names the latter view ‘Penguin’, adopting the logo of open-source software Linux as an image to distinguish it from the ‘Leviathan’ worldview.

Benkler quotes former Federal Reserve Chairman Alan Greenspan who, in testimony before the US Congress in October 2008 said: “Those of us who have looked to the self-interest of lending institutions to protect shareholder’s equity – myself especially – are in a state of shocked disbelief.” Benkler argues that this world view has gone to pieces not only because of the crisis but on the basis of more recent research that shows the importance of cooperative behaviour in society. The chapters then discuss several bases for Benkler’s views. They contain eye-opening examples of the prevalence of cooperative behaviour and the absence of profit-maximisation in voting, blood donation and childcare arrangements, with context and ‘framing’ of the situation influencing our conduct.

Benkler discusses features of organizations and mechanisms that make use of humans’ interest in cooperation and has tips for law-makers and others designing systems for cooperation on how to go beyond a ‘carrot-and-stick approach and develop methods to employ a wider range of human faculties. Benkler would like us to take our diversity into account when designing systems. The author frankly acknowledges that cooperation is not always a virtue in itself (massive cooperation under a command system was involved in producing the darkest evil: the Holocaust) but argues that cooperative features of systems tend to bring out the best in us. His most insightful comment is the self-reinforcing nature of practice: when systems are designed for cooperation, their application brings that trait above in us.

Even when one does not share the author’s worldview, his case for cooperative design is appealing since, as the book subtitle says: ‘cooperation trumps over self-interest’ far more often than prevalent thought wants us to think.

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