



丛书

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理解集体行动中合作的难题

陈 毅★著

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# 序 言

## 从规则来理解合作秩序的意义

在人类政治思想史上,大多数思想家对不确定性世界设想的政治和行政的控制都无一例外地要落实到对制度的设计上,近代以来形成的法政治学,更是体现为关于制度设计的政治学。人们对于制度的构建和反思也一直在激荡着人们思维的火花,吸引着一代又一代的学人沿着制度建设的轨迹潜心追求各自心中的政治图景。如果说本书作者的研究还有意义的话,那就是作者继续沿着制度政治学的学理背景针对所处的时代问题,试图做一些新的理论思考。

首先,合作秩序的构建是回应时代需要急需解决的重大理论和实践问题。在一个利益多元、价值多元的时代,人们之间的冲突加剧;在一个信息爆炸、交通便捷的全球化时代,人们之间的联系又变得不可分离,主体性的个人看似越来越强大,其实,越来越离不开外部的环境和社会关系,恶性的冲突竞争也导致人们生存境况在恶化。冲突与合作的矛盾在现代人这里显得尤其明显和激烈,也随着权利主体参与意识、参与能力和参与技术的提升,要求参与共治的诉求成为普遍的心声,不仅仅包括个人间合作,还有区域合作、中央与地方合作,甚至全球间合作,合作秩序的构建也正是想回应这一时代要求、进行理论的构建,建立一种新的生存逻辑。而对于合作秩序的构建在人类学、社会学、经济学、伦理学方面都有探讨,从政治学的角度进行的论述还不多见,本书作者基于政治学的视角运用新制度主义和民主理论作为理论支撑对于合作秩序的理论思考具有较高的学术意义。

其次,从规则的角度来探索现代合作秩序对于促进政治学研究的进

展具有一定的意义。传统的政治学研究秩序常常从自上而下的权力强制出发,追求的是维护统治,具有典型的单向强制性特质,现代政治学研究秩序多是从自下而上的权利主张出发,寻求的参与治理,具有典型的互动制衡性特质;它们都认识到了制度是降低政治统治成本、实现公平正义最有力的工具。然而,传统政治学的制度研究常常是针对权力核心制定的带有垄断性和强制性的刚性制度,而现代政治学拓宽了制度研究的范围、在肯定制度作为规约人们行为的有效工具的同时、也保留了制度创新的空间、尽可能把“所有利益相关者”都纳入到制度的制定中来。在新制度主义的代表人物——青木昌彦那里被称之为“博弈规则”,借助这一概念,如何运用现代规则伦理学的内核来构建现代的合作秩序成为本书作者关注的核心问题。

现代规则伦理学把对实体正义的重视寓意于对程序正义的重视之中,也即是说对于道德到底为何物的追问在现代价值多元的社会可能是各执一端的,然而,由于人们对于非道德的明察和惩治,使得人们把对道德的争论的问题转化为对道德实践的问题,运用公共理性、遵循共同遵守的博弈规则也能很好地实现一种秩序的生活。因为程序正义代表的是一种看得见的正义,现代规则伦理学既肯定了伦理道德的价值,又是从每个人合理自利的利益出发来重新审视道德问题,有助于解决传统伦理政治学一直没有很好解决的“谁来治理治理者”的问题,也即是诉诸于中立的规则而不使任何人有凌驾于别人之上的道德权威,遵守博弈规则不需要预设任何一种道德权威,只要基于“不确定性之幕”和每个人合理自利的利益之上,保留对规则权威的遵守与服从,也能实现合作秩序。

最后,从博弈规则来思考合作秩序具有特别的政治意义。从博弈规则出发建构的合作秩序,有助于充分展示人人在规则面前都是平等的观念,认为合作秩序的构建需要把所有利益相关者都纳入到对秩序的建构中来,合作秩序依赖于博弈规则所搭建起来的制度框架才能维系持久,博弈规则的自我贯彻实施依赖于“个体的独白”和“主体间性”,这些思维观念的转变也正是与民主价值高度契合的产物。民主的根本要求就是追求实现“自我的统治”,现代政治最难的也就是如何实现“自我的统治”。通过经历自己参与的博弈规则、然而接受由这种博弈规则所实施的统治也就回应的是“自我的统治”。可以看得出来,博弈规则的视角既能很好地

彰显个人主体性的价值,又能有效地实施对个人私欲的遏制。通常说来,民主既是一种价值追求,民主也是一种制度安排形式,博弈规则是在新形势下人们对民主价值实现的一种新的制度设计的思考。

从博弈规则来建构合作秩序不仅很好地回应了民主的价值,也拓宽了对现代政治的理解,有助于很好地解释“政治就是解决群体生存智慧”这一至理名言。从国家的政治走向集体行动的政治,也即是政治从高高在上围绕着权力斗争而展开,到政治是为了解决与人们切身利益紧密相关的权利问题而伸张,这样,政治生活离人们的日常生活并不遥远,政治也不再神秘,而成为保护人们权益的有力工具。从集体行动和群体智慧的角度去理解政治就使政治更具有人性化。描述人们竞争与冲突的现实,追问人类为什么需要权力,反思权力如何正当行使,权力不仅包括政治性权力,也包括市场性权力,还有社会性权力,依赖于这些可以作为第三方的权力可能还是难以解决“谁来治理治理者”的困境,这就又回到对主体性政治自身的叩问,所以,政治终究还是要解决人之为人的这一根本的哲学命题。

当然,从博弈规则来建构合作秩序的分析也仅仅是一种言说,政治生活的丰富多样性、未来世界更加的不确定性、人们差异性共存的历史永恒性等因素注定合作秩序的构建永远是一个开放性的问题,既需要作者继续更精致地对博弈规则进行充分论证,也期待更多的学人参与讨论和研究这一永恒的人类难题。

周光辉

2010年5月25日

## 中文摘要

启蒙运动以单原子式的自足个人张扬了主体性价值,既论证了“自我统治”是最具合法性的统治,也论证了公民权利反抗政治权力的政治反抗的合理性。然而,其一,由于每个人都具有天生自利倾向和以工具理性为恶的可能性,就有必要追问如何实现“自我的统治”,从而走出“囚徒困境”;其二,随着公共领域的复兴,私人领域与公共领域的界限越来越模糊,集体行动的领域越来越扩大,例如超越行政区划和民族国家之上需要采取合作行动的领域越来越多,集体行动所面临的问题也越来越多,不是仅以对立和制衡的政治反抗思维所能解决的,围绕关涉公共性的问题,不仅政治权力的行使需要提供公共理由的解释,考虑到个人行为的外部性,个人权利的表达也需要提供公共理由的证明。

对公共理由的证明必然关涉对道德的理解问题。本书不是从传统的道德秩序的建构来关照现实政治世界的旧的思维逻辑出发,而是把对“何为优良政治生活”的道德追问转化为“如何过上属于道德生活”的道德实践性问题。也即在操练政治技艺的过程中习得政治美德,直面多元开放的政治博弈世界寻求合乎正义的合作政治秩序的建构。

这种通过运用人们实践理性能力去发现和遵守政治美德的立场,既重新建立起政治与道德不可分离的关联性,又有利于防止以所谓的至善的完备性道德学说来强制人们的意志自由。正是基于这样的认识,直面一个意见纷争的不确定性世界,从博弈规则的视角来探求政治合作秩序又何以是可能的。博弈规则是合作秩序的制度均衡解,博弈规则的达成过程就是探讨如何过上遵守规则的生活,而不是规则本身。本书就是想构建起从博弈规则来理解政治合作秩序的解释框架,为了实现这一目的,

从以下的逻辑结构分三大部分五大章来布局谋篇。

第一部分,重点探讨博弈规则与合作秩序的关联性,从而确立起这一解释框架的理论预设。既不需要预设某种价值,因为它所必然带来的信息强制制约人的意志自由,也不需要以“理想观察者”的自足主体预设,而是从“理性的现实人”出发也能实现“反思平衡”;不需要“无知之幕”的假设,而是从多元竞争的“不确定之幕”出发也能提供重复博弈的框架,在一种讨价还价的协调博弈过程中从相互性的视角去追求“底线共识”;从内在规则的视角来创建自我维系和自我实施的博弈规则体系,以博弈生成的制度均衡解来促成和维系合作秩序。

第二部分,是本书的重点,分为三大章。

首先,通过对二人博弈世界的分析,过于悲观的一派观点认为,如果每个人仅从经济理性出发,非合作博弈的“囚徒困境”是必然的结果。因为如果每个人都认为可以凭借个人的完全理性能力追求个人利益最大化,那么全程策略中必然以背叛作为最优策略。过于乐观的另一派观点认为,以“私恶即公益”完全自由竞争的市场经济解决集体行动困境之路径,片面强调了斯密“看不见的手”理论和哈耶克的“自生自发的秩序”理论,忘记了斯密把自利人与道德心、哈耶克把内在秩序与外在秩序结合起来,这也是要回到斯密和哈耶克思想本意中去的原因。评判市场化路径的优势与不足,澄清理性选择在解释集体行动合作难题的效度与限度,走出非合作博弈的困境。

其次,为了走出非合作博弈的困境而选择对三人博弈世界的分析,探讨合作博弈又是何以可能的。在熟人社会,通过重复博弈有可能达成合作秩序;在陌生人世界,通过演化博弈只要保证行为纯正也可能达成合作秩序。三人博弈的第三方既包括具有硬性强制力的政治权力,也包括习俗、惯例和传统构成的软权力。霍布斯路径针对的是必须引入具有正式的硬性强制力的三人博弈世界,然而,通过对外在规则的反思,为了解决“谁来治理治理者”的难题,分析了由“主权者主权”到“议会主权”再到“人民主权”的政治观念转变的意义,从对政府权力的博弈过程分析过渡到谈国家权威的道德基础。即运用实践理性能力去发现代表人民主权的公共意志。帕特南路径针对的是在一定的社会关系结构中以软权力构成第三方的三人博弈世界,每个人受声誉机制的激励或惩罚作用,探讨在传统延



续的过程中在何种情况下达成的博弈规则是自我实施的。如果博弈规则是自我实施的,这种合作秩序就是稳定持久的,探求如何投资社会资本,构建持久的信任合作体系成为稳定合作秩序的关键。可见,在三人博弈世界,已经超越了单纯经济理性,而诉求通过政治理性或交往理性寻求政治合作秩序的可能性,这都需要为政府权力的运作和个人行动提供公共理由的证明。

第三,为了使三人博弈世界达成的合作秩序持久,最终还是依赖于个人的道德理性的提升,也即自我博弈的独白模式去践行政治美德。然而,不是以道德圣贤的无私利他主义重申个人美德,而是最起码做到不施加伤害地间接利他;进一步讲,由于人与人交往的必然性,互惠利他主义也有助于合作共赢;更高层次的要求是,每个人都出于相互善意的利他,都从道德原则出发来约束个人的利己行为,有利于持久的合作秩序的维系。可见,在自我博弈的一人世界里,不是以“理想观察者”来预设自足的主体,而是从具有道德禀赋的“理性现实人”出发,既保留了个人运用权利反抗和自我利益表达的必要性,又从道德原则的演进中,把个人的实践理性运用与合作秩序的生成结合起来,真正实现“自我统治”的主体政治。

第三部分,也是全书的总结部分,审视这一解释框架的解释力和不足。这一解释框架的最大意义在于从相互性的视角来重新审视政治价值,相互性要求的人对人态度和方式的变化直接影响到在现实的政治安排中如何实现“自我的统治”,博弈规则的达成过程就是探讨如何过上属于和服从规则的生活,而不是规则本身。这有利于解释从关系契约和具体境遇的主体间性反思主体性价值、从实践理性的角度践行政治美德的意义、自由博弈的公共参与对博弈规则制定的价值、在渐进和传承的历史中探求何种情况下博弈规则是自我实施的,加深了对现代政治价值的理解,推进了现代政治文明的演进。从博弈规则解释的合作秩序对于如何维系和巩固国内和国际的政治秩序很有说服力,以经济过程类比政治过程,对政治过程的博弈分析,有助于对政府准确定位和重塑政府角色,把有限性的政府权力和至上性的国家权威区分开。从利益博弈的层面看,可以通过交换、互惠、补偿和妥协等方式实现制度均衡;从社会伦理规范的层面看,“伦理共同体”的治理有利于补充政府治理和市场治理的不足;从更高的规范价值层面看,因为“世界帝国”和“永久和平”的梦想都是不

现实的,只有以“天下是天下人的天下”、“天下人为天下着想”的胸怀,参与对天下的治理是寻求更大范围集体行动的合作秩序达成的关键。不足在于仅分析了政治合作秩序达成的可能性,而由于合作秩序的必然性因素太复杂,故难以给出明确的解释。面对多人重复博弈的现实,均衡可能不止一个而偏向不同的方向,对于那些想寻求确定性的合作均衡解的人们,可能让他们失望。我们所寻求的仅是使偏向的方向更有利于以规则的方式达成,博弈规则正是寻求达成规则的过程,而不是规则本身。然而,完全类比生物演化过程的学者又提出:人类对制度的选择是自主创新的结果,还是早已被“程序化”预先设定好了呢?即在怎样的程度上我们主宰着我们的制度命运?或者说在怎样的程度上我们看到的制度结果反映了一种更深的固有的生物倾向呢?这确实是一个很复杂的问题,尽管不能给出很好的解释,但是也不能否认“在干中学”的博弈过程中对规则理性选择的作用。

## Abstract

The enlightenment movement highlighted the value of subjectivity based on the atomic and self sufficient individual. It not only justified the “self-government” as the most legitimate ruling form, but also the priority of the civil rights to political power. However, first, because of the natural self-interested tendency and the possibility of doing evil with the instrumental rationality, we have to inquire how to realize the goal of “self-government” and avoid the “prisoners’ dilemma”; Second, with the renaissance of public sphere, the boundary between private sphere and public sphere is becoming more and more obscure, and the arena of collective actions larger and larger, e. g. the arenas of cooperation beyond the executive regions and nation states has extended great, and the problems faced by collective actions has become more than ever before. So, the antithetic and balancing thinking can’t handle all the problems today just by itself. Concerning the issues on publicity, not only function of the political power has to offer a public reason, but also does the expression of the individual rights because of the outside effect of individual behavior.

The justification of the public reason is necessarily related to the understanding of morality. The dissertation is not to understand the present political world by constructing a moral order in a traditional way, but to shift the moral inquiry of “What’s good political life” to the moral-practical inquiry of “How to live a moral life”. That is to form

the political virtues in political practice, to face the open and plural game world of politics and to find the way of constructing a cooperated political order of justice.

The stance of finding and practicing political virtues by using practical reason not only reconstruct the indivisible relevance between politics and morality but also do well to avoid the imposition of the perfectionist and comprehensive doctrine on person's free will. In the disputable world of uncertainty, based on this thinking, this paper inquires into the question of how it is possible of the cooperative political order from the perspective of the rule of game. The rule of game is the balance of the cooperative order. The process of achieving the rule is about how to live a life under rule but not the rule itself. The goal is to construct the explanatory framework of understanding cooperative political order through the rule of game. To achieve this goal, the book is logically divided into three parts and five chapters.

The first part concerns the relevance between game rule and cooperative order in order to set the theoretical assumption of the explanatory framework. It's neither necessary to presume any value because it's going to impose the compulsive information on the free will, nor to presume the self-sufficient subject as "ideal observer", the "reflective equability" can also be achieved by "rational real person". And it's not necessary to presume the "veil of innocence", the "veil of uncertainty" based on the plural competition can also provide a framework of repetition game and pursue the "bottom consensus" from the perspective of reciprocity in the bargaining process of game. It can also create a system of game rule for the self subsistence and function from the perspective of internal regulation, and form and sustain the cooperative order by the balance of the institution from the game.

The second part, which is the main part of the book, is divided into three chapters.

First, through the analysis of the field of the two-person game, the

pessimistic view is that given that everybody is motivated by economical rationality, the “prisoner’s dilemma” of non-cooperative game must be the inevitable result of it. Because, if everybody thought that he can achieve the maximum profit by using his or her complete capacity of rationality, then, the best tragedy in the whole process is betrayal. The optimistic view is that, based on the thinking of “private evil is public good”, market-plan can resolve the dilemma of collective action, which unduly depends on Smith’s invisible-hand theory and Hayek’s spontaneous order theory. However, it forgets Smith’s idea of including the self-interested man and morality and Hayek’s idea of including both the inside rule and outside rule. And this is why we have to get back to the thoughts of them. We evaluate advantages and disadvantages of market-plan, clarify effect and limit of using rational choice theory to explain the cooperation dilemma of collective action, resolve the dilemma of non-cooperation game.

Secondly, in order to resolve the dilemma of non-cooperation game, we analyze a three-persons game world, and try to understand why the cooperation is possible. In the acquaintance world, we can achieve the cooperation game through repetition game; while in the stranger world, we can achieve it through evolution game as long as the action is according to the real thinking. The third party of a three-persons game world not only include public power which is compulsory, but also include informal power which consists in custom, convention and history. Hobbes’s plan points to a three-persons game world where formal power needs to be imported, however, through investigating exterior rule, so as to resolve the dilemma of who govern governor, we analyze the meaning of transition of political ideas which is from governor sovereignty to congress sovereignty and to popular sovereignty, and our discussion shifts from analyzing game of government power to pursuing the moral base of state authority viz. finding the public will of the popular sovereignty through the practical reason. Putnam’s plan is toward a

three-persons game world where the third party belongs to informal power in social structure, and everyone must be affected by stimulus and punish of fame institution. And we articulated that in the condition of continuing tradition, all of the game rules achieved will be self-enforced. If game rule is self-enforced, so a cooperation order is enduring and stable. That we pursuit how to invest social capital is a key point because the trust system is available to achieve a cooperation order. So, in a three-person game world where we exceed our economic rationality, through our political reason or communicative rationality, we pursue why political cooperation order is possible, which needs that they provide public reason for both public power and citizen rights.

Thirdly, for that a cooperation order in a three-persons game world maintains enduring, eventually it depends on the improvement of our moral rational, viz. on the practice of political virtue by the model of monologue in the ego game world. Nevertheless, our discussion of morality is not to say that everyone is a altruist, but that people can at least do no injury to other people; further, because our interaction is inevitable, the altruism can be helpful to cooperation surplus, too; and further, if everyone treats others from a good conscience, chooses to restrict selfish behavior according to moral rules, then it is helpful to maintain an enduring cooperation order. So, in an ego game world, we don't need an ideal observer as a self-sufficient individual, based on the practical and rational person, who possesses moral character, it not only reserves the necessity that everyone defies public power and express individual interests with citizen rights. According to moral evolution, we integrate rational ability with cooperation order, finally realized the subject politics of "self-government".

In the third part, which is a conclusion, we investigate the effect of explanation and disadvantages of the explanatory framework. The most significant point of it is that it rethinks the political values with the perspective of reciprocity. The variation of people's attitude and manner,

which is required by reciprocity, directly affects how to achieve self-government in real political arrangement. The process of achieving game rule is that how to belong to and obey the rule but not the rule itself. It is helpful to explain the subjective value from the inter-subjective perspective in the shifting from relationship contract to specification situation, the practicing of politics virtues with practical reason, the value of establishing game rule by free game and public participation. The investigation of how the game rule is self-enforced in the background of the history of evolution, promotes the comprehension of modern political values, and propels the evolution of modern political civilization. The explanation of cooperation order is very persuasive on how to maintain and consolidate political order in the national and international fields. We compare political process with economic process, analyze political process, and the analysis is helpful to accurately locate government and define government role, and distinguish between government power and state authority. In the level of interest game, we achieve institutional equilibrium through interchange, interaction, compensation and compromise; in the level of social ethics, the governance of ethic community is helpful to compensate the deficit of governmental and market governance; further, in the level of norm, because the world empire or eternal peace are not real but dreams, based on the spirit that "the world is for everyone" and "everyone is for the world", only the way of participating the governance of world community is the key to achieve a cooperation order in further collective action. The disadvantage of the paper lies in the fact that we only analyze the possibility of a cooperation order, because the necessity of a cooperation order is too complicated that we are not able to specifically explain it. Facing the reality of many persons repeat game world, the possible equilibrium is not only one but can head in different directions, which may disappoint those who pursue the certain equilibrium of cooperation. What we pursue is only that we make direction helpful to achieve rule, the game rule is the process of achie-

ving the rule, but not the rule itself. Nevertheless, the scholars who entirely compare it with the evolution of creatures propose the doubt that whether the choice of our institution is outcome of our independent invention or just preordained. In other word, to what extent do we decide destiny of our institution? Or, to what extent does the outcome of the institution which we have seen reflect a kind of further intrinsic biological tendency? Indeed it is a very complicated question, although we don't give a very good explanation, we don't neglect the function of our rational choice in game play in which we practice.



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