The Samaritan's Dilemma Fifty Years Later

Historical Appraisal and Contemporary Relevance

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The story behind James Buchanan's "The Samaritan's Dilemma" was heavily influenced by the situation Buchanan faced during his short tenure at the University of California, Los Angeles (UCLA) (see Fleury and Marciano 2018). Buchanan was hired at UCLA in January 1968, arrived in California during the summer of the same year, and resigned barely six months later, in January 1969. As he wrote in a letter to Charles Hitch, the president of UCLA, Buchanan did not want "to work in an atmosphere of violence, intimidation, and fear."[1] He went on to note that the university had given in to the pressure of minority students, recruited "black militants, some of whom have long-standing criminal records, who do not meet standard admission requirements, and who have no conception of a university."[2] This,

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1. Letter from Buchanan to Hitch, January 20, 1969, UCLA, 1968–1970, Box 100, Folder 17, James M. Buchanan papers, C0246, George Mason University Libraries, Special Collections Research Center.

2. Letter from Buchanan to Hitch, January 20, 1969.

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he wrote, would eventually lead to "the destruction of the university."[3]

Following his resignation, Buchanan moved back to Virginia, joining the faculty at Virginia Polytechnic Institute, known today as Virginia Tech. Buchanan's experience at UCLA served as the inspiration for his book *Academia in Anarchy* (coauthored with Nikos Devletoglou, 1970) and several articles on the use of violence in academics and society. "The Samaritan's Dilemma" was one of these articles.

Buchanan started drafting the paper in 1970, just after the dramatic events that took place at Kent State University in May 1970.[4] The first two versions of the paper are dated May 20 and May 29, and the examples Buchanan used to motivate the early versions of the article were clearly inspired by the times. The first example introduced an alumnus of the Ivy League community, a successful businessman, who decided to donate part of his fortune and remained unwilling to remove his support for his beloved university, despite the ineffective way the university's administrators and faculty had handled student unrest. In the second example, members of the board of regents of a "dominant western university," displeased with the behavior of administrators, were reluctant to remove the president and administrators from office.

Both the alumnus and the board of regents were, according to Buchanan, trapped, albeit in different ways. The successful businessman helps his beloved university but cannot control the way his donations are used. The board of regents do not help in terms of donations but are also unable to act to prevent the president and administrators from behaving in unsatisfying ways. It would seem that both parties should change their behavior, but neither does, because doing so is too costly—hence the dilemma Samaritans face.

Subsequent versions of "The Samaritan's Dilemma" looked different from these earlier iterations. Buchanan removed the (controversial) examples about academia and presented the paper at a conference on altruism. The final paper was published in a collection of essays devoted to altruism and morality (Buchanan 1975). As a result, the article is typically interpreted as a contribution to the economics of altruism (see Fontaine 2007). This interpretation, however, is inaccurate and risks misinterpreting the breadth of Buchanan's contribution.

Importantly, Buchanan did not refer to altruism in his article; he did not even mention the motives that could lead the Samaritan to help a recipient. One implication of interpreting the paper in terms of the economics of altruism is that it reduces the dilemma to a problem of moral hazard: The recipient's behavior cannot be observed, and therefore controlled, by the Samaritan. That interpretation may make sense, but it transforms the dilemma into a technical problem that can be addressed with correctly designed incentives. As we suggested earlier, however, and as the papers in this symposium argue, Buchanan was writing about a broader set of social problems. To

3. Letter from Buchanan to Hitch, January 20, 1969.

4. During a violent demonstration that took place in May 1970 on the campus of Kent State, four students were killed by the Ohio National Guard.

the extent incentives are relevant—and they are, in terms of Buchanan's emphasis on institutional solutions in the form of constitutional rules—they are secondary to the root cause of the issue.

More fundamentally, altruism is incompatible with the Samaritan's dilemma as presented by Buchanan. If the Samaritan's well-being depends on the recipient's utility or consumption, or if altruism means or implies receiving a psychological gratification from being charitable (the "warm glow effect"), then there is no dilemma (see Marciano 2021; Dughera and Marciano 2023). The reason is that in a scenario where the Samaritan helps and the recipient exerts no effort to improve their situation, the Samaritan is not disturbed. In stark contrast, the Samaritan receives utility from the act of offering assistance itself, regardless of what the recipient does. In fact, in this scenario the lack of effort may be ideal for the Samaritan, because they can continue to assist, which brings them happiness in and of itself.

What Buchanan found problematic was the asymmetry between the two parties. The Samaritan wishes to assist another to avoid the displeasure of seeing the other's suffering. Realizing this, the recipient will accept assistance and exert little effort to change their situation. The asymmetry at the heart of the dilemma is that the Samaritan seeks to improve the situation of the recipient, while the recipient has no such interest.

Restoring symmetry between the two parties, Buchanan argued, requires the Samaritan to refrain from helping, even though they would suffer a loss of utility in the short term because of dissatisfaction of seeing someone suffer. Absent the assistance, the recipient would eventually make the expected effort to care for their own needs, and the Samaritan could then help if it was still necessary. Buchanan offered two pathways for the Samaritan to realize this and escape the dilemma.

First, the Samaritan could understand that the short-term loss of utility from seeing someone suffer would be compensated in the future. That understanding requires comparing the present costs of not behaving charitably with the future benefits expected from seeing the recipient exert effort to improve their own situation. Second, the Samaritan could overcome the loss of utility from not helping by following what Buchanan called an "ethic of personal responsibility," which entails exhibiting what he called "strategic courage"—that is, the courage *not* to help others in spite of the costs thereby implied for the Samaritan. That ethic involves assisting only those who are eager to exert effort to improve their own situation, even if it is costly to refrain from helping others, because it is the responsible thing to do. Buchanan therefore did not advocate against ethics as claimed by some critics (see Stone 2008; MacLean 2017; Cummings 2022). To the contrary, ethics is the primary solution Buchanan envisaged to avoid the Samaritan's dilemma.

Buchanan noted that, unfortunately, many people are used to making decisions by comparing short-term costs and benefits and, therefore, fail to follow an ethic of personal responsibility. That was, in his view, the case in the United States in the 1970s when he wrote his article, a period in which Buchanan believed that Samaritans had become "soft" to the point of answering all demands. In

doing so, Samaritans helped even those who did not work to improve their situation and failed to punish those who misbehaved, rather than bear the costs of being uncharitable. Put differently, in this period, many Samaritans preferred asymmetric situations over symmetric situations to avoid having to bear the discomfort of withholding assistance. Since, for their part, recipients had no incentive to change a situation from which they benefited—at least in the short run—the asymmetric situation between the two parties persisted.

Buchanan made this point in strong and polemical terms in "The Samaritan's Dilemma" and, more neutrally, in many other of his works in public economics and public choice in which he showed how individuals could get trapped in one of these asymmetrical situations. For instance, an individual who finances a public good might want to exclude free riders but won't, because the expected benefits of exclusion would be lower than the costs of devising and enforcing an exclusion device (Buchanan 1967). Symmetrically, an individual might not oppose the provision of a public good even if it is socially wasteful, so long as the individual himself benefits from it and the burden of its financing is discriminatorily imposed on others. Similarly, an individual might not refrain from polluting because the costs of refraining are high compared to benefits that are low or difficult to evaluate—for instance, if they are received by individuals from another country or another generation (Buchanan 1968).

Even more interesting and problematic is the question of property rights—and, more broadly, of the law—which Buchanan analyzed using the same framework (Buchanan 1972). Consider a property right holder who faces an individual who does not respect her property rights. Enforcing one's property rights and punishing criminals for benefiting from the product of one's work is obviously costly. But a violation of property rights is also costly, at least given the loss of income. If the cost of a violation of property rights is smaller than the cost of enforcement, then the right holder has no incentive to enforce her rights, and the criminal can violate the existing property rights without fear of sanction. And as long as the costs of crime remain below the costs of enforcement, criminals are not punished. This situation, where the right holder works and the other party does not respect her property rights, is yet another illustration of the Samaritan's dilemma.

Across all of these cases, showing strategic courage or following an ethic of responsibility was crucial for Samaritans to restore equality and symmetry in their relationships with recipients. Importantly, for Buchanan, these solutions extend beyond specific individuals to broader communities. Also important in his view was the role of formal institutions as a means of overcoming potential moral failure. For instance, Buchanan suggested the possibility of devising small, inclusive groups in which individuals would influence one another to adopt the necessary strategic courage. At a higher level, equal treatment for all could be guaranteed by the unanimous adoption of constitutional rules. These rules about how to organize and distribute help could be agreed upon as the result of a "collective action."

Thus, Buchanan did not advocate against helping people in need (again, ignore the aforementioned critics who misunderstand this point). Rather, he claimed that Samaritans should not respond to all the demands coming from people in need without clear constitutional provisions to frame this aid. Alternatively, if individuals were not ethical or brave enough, which was Buchanan's view of people in the 1970s when he wrote the article, they could adopt specific rules to control how aid was given to recipients.

An Overview of the Symposium

The need for a strong ethic of responsibility, strategic courage, or specific institutions was a major lesson that can be drawn from "The Samaritan's Dilemma"—a lesson that remains relevant fifty years later and which the papers that constitute this symposium explore. We begin by reprinting Buchanan's original article in which he lays out the logic of the Samaritan's dilemma. When reading this, it will be useful to keep the historical context provided earlier in mind to understand the phenomenon he is trying to explain.

This context is further explored in the paper by Stefano Dughera and Alain Marciano. They argue that the Samaritan's dilemma is more than a simple game analyzing the limits of redistributive policies. It is a broader framework for understanding a type of postconstitutional anarchy that Buchanan observed in America in the 1970s. This situation is characterized by exploitation of one part of the population by another, with each group having certain characteristics in their moral makeup and in their behavior. They discuss how Buchanan's framework offers insight into contemporary forms of social disorder.

Next, John Meadowcroft explores the nuances of Buchanan's framework, with a focus on the constitutional political economy of the Samaritan's dilemma. In doing so, he clarifies why Buchanan believed that the dilemma could be resolved through constitutional rules. But the creation of such rules is by no means a given. Instead, Buchanan feared that when people were unable to act with strategic courage in their personal relations, they would also be unable to do so in their collective (constitutional) choices. For this reason, the dilemma has significant implications for understanding the viability of a free society.

The fourth paper, by Art Carden, discusses Buchanan's use of the concepts of the Samaritan in the context of the biblical parable of the Good Samaritan. He notes that Buchanan did not comment on or intend to critique the parable or its message of helping others. In this regard, Buchanan's critics, who read his paper as a rebuke of the biblical parable, are incorrect. Instead, Buchanan was identifying a general social problem in which people's dissatisfaction with the discomfort of others can lead them to encourage others to behave badly. Carden argues that adhering to a "make more, take less" ethic, whereby we reflect on the conditions for real economic growth to alleviate suffering, is one way to take care of strangers in need while avoiding the Samaritan's dilemma.

Next, Christopher Coyne and Abigail Hall discuss the insights of Buchanan's paper in relation to Isabel Paterson's paper "The Humanitarian with the Guillotine." Written three decades prior to Buchanan's paper, Paterson sought to understand how the desire to engage in charity could do harm, noting that the embrace of the humanitarian impulse could undermine individual freedom and result in tyranny. Their paper connects Paterson's humanitarian and Buchanan's Samaritan, identifying five themes that remain relevant today. These include the nature of charity (the transfer of existing wealth versus the production of wealth), the difference in the sources of charity (private versus state) and their implications, dependency and its social costs, self-governance and an ethic of individual responsibility, and the importance of rules for overcoming the Samaritan's dilemma and protecting individual freedom.

Finally, Brigitta Jones discusses the relevance of Buchanan's Samaritan's dilemma for welfare programs aimed at helping those in need. Her paper discusses rules that private welfare programs can implement to overcome the dilemma, thereby reducing dependency effects. She then provides an illustration with the Starbucks Caring Unites Partners (CUP) Fund, to which Starbucks employees can voluntarily contribute to help other employees in need. Her paper illustrates how the Samaritan's dilemma is relevant for private assistance arrangements and how people can creatively devise rules to avoid the issues identified by Buchanan.

Fifty years after it was first published, James Buchanan's "The Samaritan's Dilemma" remains relevant for understanding a range of social problems of different scales and scope. In addition to being insightful in their own right, our hope is that the papers in this symposium will inspire further scholarship using Buchanan's insights as an entry point.

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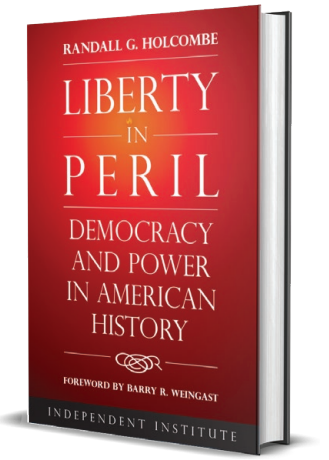
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