

NEEDING AND NECESSITY

Guy Fletcher

§1 Introduction

Claims about needs are a ubiquitous feature of everyday practical discourse. It is therefore unsurprising that needs have long been a topic of interest in moral philosophy, applied ethics, and political philosophy. Philosophers have devoted much time and energy to developing theories of the nature of human needs and the like.¹

Philosophers working on needs are typically committed to the following claims:

- (1) There are different kinds of needs.
- (2) Within the different kinds of needs is a privileged class of needs that is especially normatively significant.

Some philosophers go further and make rather grand claims about needs. They claim that needs are central or fundamental to moral thinking and that we must have a needs-centred moral *theory* or a general *reorientation* of moral philosophy around needs. They thus subscribe to:

- (3) This privileged class of needs is fundamental, irreducible and morally important, in a way that has an important upshot for moral philosophy and/or moral thought.

(I give more precise statements of these in the next section). Let me use these formulations to distinguish two different positions that one could take about needs. Holding (1) and (2) makes

¹ Needs are also a central issue in other disciplines, including development studies, psychology, economics (particularly issues of healthcare resource allocation).

one a *moderate needs theorist*. Holding all three claims makes one an *ambitious needs theorist*.

In this paper I aim to do two things. First, to show how applying recent work on modal terms can help us to understand thought and talk about needs. This yields a better understanding of what people have commonly referred to as different ‘kinds of needs’ and an improved ability to interpret and assess claims (1) and (2). This is the positive part. I then use these ideas to cast doubt on (3) and ambitious needs theory. Put briefly, a proper understanding of claims about needs undermines the idea that the concept of needs is fundamental in moral thought or in moral philosophy. Ambitious needs theory fails.

The plan for the rest of the paper is as follows. In section 2 I trace the standard moves made in philosophical discussion of needs and outline in more detail what the moderate and the ambitious needs theorists hold. I also briefly explain why we might find the standard picture unsatisfactory in various ways. In the next section (§3) I show how recent work on ‘ought’ and ‘must’ is relevant to the task of understanding needs talk and outline a package of claims which I call *needs claims as modal claims* (NCAMC). I then (§4) assess needs theory in light of NCAMC, concluding that it vindicates some aspects of moderate needs theory but poses a threat to ambitious needs theory, particularly if we think of the relevant class of needs claims as claims of *moral* necessity. In section 5 I consider an alternate proposal, that needs-discourse should be interpreted in terms of *prudential* necessity and I examine some candidate accounts of prudential necessity on behalf of the needs theorist. I argue that one cluster of these – analysing prudential necessity in terms of *harm* – is plausible and that the truth of it (or anything like it) straightforwardly undermines ambitious needs theory.

§2 The standard story of needs

Philosophical discussion of needs typically begins with a pair of cases such as:

- (i) Hillary needs water.
- (ii) Hillary needs 2,383 delegates to win the nomination.

Such a pair is used to support the idea that there is an important difference between (i) and (ii) and between claims of their respective types more generally. Very roughly, the standard story is that claims like (i) are normative, or important, whilst claims like (ii) are in some way secondary or less significant. Different terms are used to *label* this purported distinction between claims like (i) and (ii). These include: ‘Absolute vs Instrumental needs’; ‘Fundamental vs Instrumental needs’; ‘Non-Contingent vs Contingent needs’.²

When it comes to the question of what appears on each side of the distinction (i.e. what we are distinguishing *between*) different philosophers provide different answers. In some places the claim is that there are multiple *types* of needs.

Contingent needs are requirements for contingent ends, which the needing being might or might not have [...] Non-contingent needs, by contrast, are necessary conditions for non-contingent aims that the needing being could not but have (like life).³

A definition of ‘need’ requires a distinction [...] between fundamental and instrumental needs[.]⁴

² Absolute vs Instrumental [McLeod (2014), Wiggins & Dermen (1987)], Fundamental vs Instrumental [Thomson (2005)], Non-Contingent vs Contingent [Reader & Brock (2004), Schuppert (2013)]. These categorizations are contentious in many ways. They are also far from clearly equivalent. However, that is not important for my purposes.

³ Reader & Brock (2004: 252).

⁴ Thomson (2005: 175).

Sometimes the claim is that there are multiple *concepts* of need.

A conceptual distinction between instrumental needs and absolute needs can be drawn[.]⁵

Sometimes the claim is that there are multiple *senses* of ‘need’.

[A]lthough there is an instrumental sense of ‘need’ where we can ask for some purpose to be specified in a non-elliptical version of the ‘needs’ claim and there are no limits on what this purpose is (except the limits of what can be of any conceivable concern to anyone), there is another sense of ‘need’ by which the purpose is already fixed, and fixed in virtue of the meaning of the word... We have then to assign at least two senses to ‘need’ if we are to assign the right significance to the sorts of thing people use the word to say and to understand the special argumentative force of needs claims.⁶

With these ideas on the table, philosophers of need then try to find the *grounds* of that distinction. By this I mean they look for precisely what absolute / fundamental / non-contingent / basic needs (henceforth ‘the privileged class of needs’) have in common that makes them special, in contrast with the merely instrumental needs.

The literature on needs manifests disagreement on what precisely makes the privileged class of needs special. However, there is a widespread but implicit agreement that what makes them special is a connection to some *particular* state or property. There is also a clustering around a small number of closely-related proposals for what that single state or property might be, namely: flourishing, survival, the preservation of agency, avoidance of harm, or avoidance of serious harm:

⁵ McLeod (2014: 293).

⁶ Wiggins (1987: 9).

To say that it needs that environment is not to say, e.g., that you want it to have that environment, but that *it won't flourish unless it has it*.⁷

The mark of the moral importance of non-contingent needs in ethics is that the needing being simply cannot go on unless its need is met. It is no exaggeration to say that in a state of non-contingent need, *the very existence of the needing being as we know it is at stake*.⁸

Needs, in the relevant sense, are those items or conditions that it is necessary for a person to have if she is *to avoid being harmed*.⁹

To claim that X is needed instrumentally is simply to assert that X is a necessary condition for the obtaining of the contextually relevant goal, whatever that happens to be. [...] In contrast, to claim that X is a fundamental need for person A is to assert that X is a non-derivative, non-circumstantially specific and an inescapable necessary condition in order for the person A *not to undergo serious harm*.¹⁰

Thus goes the standard dialectic in philosophical discussion of needs. We can restate this standard story as the following set of claims, acceptance of which makes one a *moderate needs theorist*:

- (1) There are different kinds of needs / concepts of needs / senses of 'need'.
- (2) Within this plurality is a privileged class of needs that is especially significant and significant in virtue of its connection to one particular state or property.

As mentioned above, some philosophers go further and adopt a form of *ambitious needs*

⁷ Anscombe (1958: 6).

⁸ Reader & Brock (2004: 252). This view is also proposed by Richards (1970: 37) '[T]he notion of a need is relative to some view of what is required for the survival and/or minimal functioning of some other things'.

⁹ Miller (2007: 3). Miller (1976: 130) proposes the same view in earlier work "A needs X" = 'A will suffer harm if he lacks X'. This view is also defended by Feinberg (1973: 111).

¹⁰ Thomson (2005: 175).

theory. Gillian Brock & Soran Reader give the clearest expressions of ambitious needs theory.

In a series of papers they write:

[T]he central place of needs in our moral lives has tended to go unnoticed. More attention should be paid by moral philosophers to the role that the concept of need can and should play in moral theory [...] [G]rasp of the notion of need is essential to any understanding of what the moral life is about. *In simple contexts the dominant theories cannot adequately capture the moral significance of needs.*¹¹

Value-based, rule-based and character-based theories have to make use of the concept of need as *fundamental, irreducible and morally important*, if they are to account for the simple needs-meeting moral contexts that are the bread and butter of everyday moral life. *Needs-talk cannot be eliminated, nor reduced to talk of values, rules or virtues.*¹²

Those who ignore the concept of need must think either that needs are not morally important, or that anything morally important about need can be captured by other concepts. We think this is a mistake. *We think the concept of need should be as central in moral theory as actual needs are in moral practice.*¹³

David Wiggins suggests a similar view in entitling one of his papers on needs ‘an idea we cannot do without’.¹⁴

As I read them, ambitious needs theorists are committed to two claims. They are committed to a *normative* claim; needs have fundamental moral significance. They are also committed to a claim about the *concept* of needs, that needs facts and needs claims are irreducible, they cannot be given a *reductive* analysis. Let me now provide a statement of what

¹¹ Brock & Reader (2002). My italics.

¹² Reader & Brock (2004). My italics.

¹³ Reader & Brock (2004). My italics.

¹⁴ Wiggins (1987).

the ambitious needs theorist claims (one slightly more detailed than that given above):

- (3) This privileged class of needs is morally fundamental and conceptually irreducible, in a way that has an important upshot for moral philosophy and/or moral thought.

There are many features of the standard story, or particular ways in which it is developed, that we might want to question.

Against (2), we might find it implausible that the privileged class of needs are exclusively connected to *one* particular state. And even if we were convinced of this, we might doubt that the relevant state is ensuring literal survival (which seems to set the bar too low) or, conversely, the preservation of flourishing (which seems to set the bar too high). We might also balk at the idea that the privileged class of needs have to do with the *aims* or *ends* of the needing being – as is sometimes suggested – given that it seems undeniable that newborn infants need nourishment and yet do not have aims or ends (even non-contingent ones).¹⁵

We might also worry about the coherence of the package of claims offered by the ambitious needs theorist. This is because some of the ways that (2) could be true would seem to undermine (3). For example, if the privileged class of needs claims are claims about what is necessary for (e.g.) the avoidance of harm then this seems to undermine the idea that needs are of fundamental moral significance. It also undermines the idea that the relevant concept plays an irreducible role in moral thought (I come back to these points in §§4-5).

Looking to (1), a familiar worry is that it is better not to postulate ambiguity or multiple concepts to account for diverse uses of the same word (at least other things equal). Such a move seems under-motivated by the relevant data, namely claims like (i) and (ii). The

¹⁵ Plausibly, they need nourishment (in part) in order to develop the capacity for aims.

difference, such as there is, between (i) and (ii) does not look like a *conceptual* difference, there seems too much commonality between the two claims. It also seems implausible that ‘needs’ is used in two different senses in:

- (i) Hillary needs water.
- (ii) Hillary needs 2,383 delegates to win the nomination.

The similarity between (i) and (ii) seems utterly different from the kind of ambiguity exhibited by e.g. ‘Rahul is at the [river] bank’ and ‘Rahul is at the [financial] bank’.

This seeming lack of a conceptual difference is reinforced by the claims made by needs theorists in trying to distinguish the privileged class of needs from the merely instrumental ones. The common idea is that instrumental needs claims are claims about *what is necessary for the obtaining of some goal* whereas the privileged class of needs claims are claims about *what is necessary for* (e.g.) *the avoidance of harm*. But this does not look like a deep difference and certainly not a conceptual difference. Both are claims about what is necessary. The only difference is in whether the relevant state of affairs is (e.g.) the avoidance of harm or something else. But it is not at all clear that there is a difference in how ‘needs’ functions in (i) and (ii).¹⁶

A further worry about (1) and the general context in which it is motivated is that theorists working on needs have tended to focus on a restricted range of claims that are made using ‘needs’. When we look at the range of sentences that deploy ‘needs’ we find many claims about need do not obviously fit into the categorisations that are offered by needs theorists.

Take these claims:

¹⁶ On some understandings of needs the difference between (i) and (ii) disappears, when we fully spell out the claims. I do not mean to be ruling out that kind of view here.

- (iii) Triangles need three sides.
- (iv) America needs campaign finance reform.
- (v) Blatter needs to be punished.

These do not seem obviously to fit into the categorisations offered above. They seem neither instrumental nor from the privileged class. Yet, despite their difference from claims like (i) and (ii) it seems implausible to think that there is a semantic difference in ‘needs’ across the examples.

What we need is some way of recognising that claims like (i) and (ii), and other claims involving ‘needs’, can be different but without treating this as a matter of multiple senses of ‘needs’ or multiple concepts. We need to recognise the diversity within needs-discourse whilst preserving what is unified across it.

Thankfully, there is an alternative, more unified, way of understanding need-claims like (i) and (ii). We reach this by taking some ideas from recent work on ‘ought’ and ‘must’ and applying them to needs-claims. The result is a better understanding of needs claims, one that we can then use to evaluate the prospects for moderate and ambitious needs theory.

§3 From ‘Ought’ and ‘Must’ to ‘Needs’

Take the following set of sentences:

- a. Morally speaking, John [must/ought to] tell the truth.
- b. John [must/ought to] take more exercise.
- c. John thinks that he is Queen Elizabeth so he [must/ought to] think that he lives in Buckingham Palace.
- d. John [must/ought to] be here by 3pm given the quiet roads.
- e. Drinking water [must/ought to] be clean.

For a long time, the standard response to sets of sentences like these was to postulate multiple senses of ‘ought’ and ‘must’, or multiple concepts, to account for the diversity exhibited by (a)–(e).¹⁷ The work of Angelika Kratzer provides a way to resist that kind of view.¹⁸ Her pioneering work on modals shows how we can preserve a uniform semantics for modals like ‘must’ (and ‘ought’) that is compatible with the differences in how they function in sentences (a)–(e). (From here, I leave aside ‘ought’ and focus on ‘must’.¹⁹)

‘Must’ is used to make strong necessity claims. Simplifying a little, the Kratzerian analysis of such strong necessity claims is that they are claims about what is true in *all* of the possibilities consistent with the relevant law or standard (where this might be explicitly mentioned within the sentence itself, as in sentence (a), or contextually salient).²⁰ To see how this works let us start with two example sentences. On the Kratzerian view, ‘Morally speaking, John must tell the truth’ expresses the proposition that in all possible worlds in which the *moral standards* are adhered to, John tells the truth.²¹ By contrast, ‘What goes up must come down’ expresses the proposition that in all worlds consistent with the *laws of nature*, objects that go up

¹⁷ This issue has been discussed much more with respect to ‘ought’ than ‘must’. For discussion of ‘ought’ see Ewing (1953), Harman (1975), Parfit (2011). For prescient discussion see especially the exchange between Xenakis (1957) and Glassen (1960). One issue I leave aside here is the debate between those who think that there is ambiguity in ‘ought’ between ‘agential’ and ‘evaluative’ ought claims. Discussing that would take me too far afield here. See e.g. Wedgwood (2006), Schroeder (2011), Chrisman (2012).

¹⁸ Kratzer (1977). Also Wedgwood (2006), Dowell (2011), Finlay (2014), Chrisman (2015).

¹⁹ I focus on ‘must’ because ‘needs’ is like ‘must’ in being a *strong* necessity modal and I want to sidestep (i) whether ‘ought’ is a strong necessity modal and (ii) how to understand weak necessity modals within the Kratzerian framework.

²⁰ One detail I omit, purely for simplicity, is the restriction on the set of possibilities (the ‘modal base’). A more accurate statement would thus be that, on Kratzer’s view, strong necessity claims are claims about what is true in all of the *relevant* possibilities consistent with the relevant standard. Another detail I omit, again for simplicity, is that Kratzer’s analysis involves the idea of partial ordering.

²¹ I follow Kratzer’s presentation in construing possibilities in terms of possible worlds. But the general approach does not depend on a commitment to possible *worlds*, only possibilities.

come down.

On this Kratzerian view, ‘must’ has the same meaning in (a)–(e). In each case it functions to generate a proposition about what is required by some law or standard (hereafter I will simply use ‘standard’, for brevity). The key difference between the sentences is a difference in the standard that is relevant. Returning to the set of sentences above, sentence (a) is a claim about what is required by the moral standard. Conversely (b) is a claim about what is required by the prudential standard. By contrast (c) uses the standard of *rationality* whilst (d) uses an *evidential* standard and (e) uses a general *evaluative* standard.

A nice feature of this view is the way that it combines unity with flexibility. Must-claims have a *unified* logical structure; we do not need to postulate different senses of ‘must’ to account for (a)–(e). At the same time it is *flexible*; one can plug in any arbitrary standard whatsoever and generate meaningful must-claims and without endorsing the relevant standard. For example, ‘To uphold Bullingdon club tradition, he must [something horrible].’

My suggestion is that we take the Kratzerian story for ‘must’ and apply it to ‘needs’ claims.²² After all, ‘needs’ is a strong necessity modal, just like ‘must’.²³ We see this from the similarity between these need-claims and the equivalent must-claims:

- You should give it back. In fact you need to do so.
- You should give it back. In fact you must do so.

- He should give it back but you need to do so.
- He should give it back but you must do so.

²² Philosophers working on modal language have seemed to neglect ‘needs’ discourse. One exception is Finlay (2016: 196) who briefly mentions ‘needs to’ as a normative verb.

²³ I am here talking of ‘needs’ as a verb, rather than as a noun. It is interesting that in English we have the noun ‘needs’ but lack one for ‘must’, ‘ought’, ‘should’ etc.

- I need to leave now.
- I must leave now.

There is also the general similarity between the need-claims we started with and the equivalent must claims:

- (i) Hillary needs water.
 - (ii) Hillary needs 2,383 delegates to win the nomination.
- Hillary must have water.
 - Hillary must have 2,383 delegates to win the nomination.

Finally, there is the problematic nature of:

- #Hillary must have water but she doesn't need it.
- #Hillary must have 2,383 delegates to win the nomination but she doesn't need them.²⁴

This makes it plausible that 'needs', like 'must', is used to make strong necessity claims, claims about what is *required* by a standard.²⁵

Crucially, 'needs' is also used to make claims about different kinds of necessity. Take the following set of needs claims:

- (i) Hillary needs water.
- (ii) Hillary needs 2,383 delegates to win the nomination.

²⁴ One *can* get a reading of sentences like these which are not problematic. But that is only if the sentence makes claims about two different standards. For example, 'Given that she has a well, Hillary must have water but *she* doesn't need it'.

²⁵ There is also the fact that 'need' is used for the negation of 'must' claims (where 'mustn't' would be incorrect) as in: "Must I?" "No you needn't."

- (iii) Triangles need three sides.
- (iv) America needs campaign finance reform.
- (v) Blatter needs to be punished.
- (vi) Blatter needs a corkscrew to open that wine.

Claim (ii) is a claim about what is necessary in order to win the nomination *within the election rules*. By contrast, (iii) is a claim about what is *logically* necessary. Claim (iv) is a claim about what is necessary according to an *evaluative* standard. Claim (v) is a claim about what is *morally* necessary.²⁶ Claim (vi) is a claim about what is *nomologically* necessary.²⁷ (I bracket for the moment the question of how to interpret claim (i) and come back to it later (§§4-5).)

One difference between ‘must’ and ‘needs’ is that ‘must’ is always an auxiliary verb whereas ‘needs’ can either be a regular verb or an auxiliary verb. This difference does not matter though. Even when ‘needs’ is a regular verb as in ‘Blatter needs a corkscrew to open that wine’ it is still used to make claims about what is necessary (it is just that it is used to make claims about what is necessary, relative to some kind of necessity, for some state of affairs to obtain). Thus ‘needs’ is like ‘must’ in being used to make strong necessity claims.²⁸

Given this parallel between ‘must’ and ‘needs’, we should take the orthodox treatment of ‘must’ claims and apply it to ‘needs’ claims. Remember that the Kratzerian analysis of strong necessity claims is that they are claims about what is true in *all* of the possible worlds consistent with some relevant standard. Applying this to needs claims we get the following picture:

‘Hillary needs 2,383 delegates to win the nomination’ conveys the proposition that in all worlds where the election rules are adhered to and in which Hillary wins the nomination, she has 2,383

²⁶ Or legally necessary, depending on the context.

²⁷ Relative to strong background assumptions (e.g. no other way of opening the wine).

²⁸ Compare with ‘have’ which can function as a main verb, as in ‘I have flu’, or as an auxiliary verb, as in ‘I have to leave’. Here the difference matters a lot. There is no plausibility that the modal nature of ‘I have to [verb]’ claims carries over to ‘I have [noun]’.

delegates. By contrast, ‘Blatter needs to be punished’ conveys the proposition that Blatter is punished in all of the worlds consistent with the moral standard.

Let me briefly restate the package of claims I have argued for in this section, which I will refer to as ‘needs claims as modal claims’.

Needs claims as modal claims (NCAMC)

- Needs claims are necessity claims.
- Needs claims are claims about what is true in all worlds where some standard is met or where some standard is met and some state of affairs obtains.²⁹
- Nothing in the meaning of ‘needs’ places a restriction on what the relevant standard is (or what the relevant state of affairs is).
- The relevant standard can either be explicitly mentioned in the needs claim ‘To do the morally right thing, you need to give it back’ or recoverable from context ‘You need a passport to enter the country’ (on a sign at the airport immigration desk).

One nice feature of NCAMC is that it provides a framework within which we can more clearly state and evaluate claims made about needs-claims. Let me start with two perennial debates within philosophy of needs.

First, there is a debate between those who think that *all* needs-claims are instrumental claims and those that deny this.³⁰ Secondly, and relatedly, it is sometimes suggested that there is something about the *grammatical* form of claims like (i) that signals their distinctness from

²⁹ This feature of the view has the consequence that there are lots of needs claims which are weird to assert but which are nonetheless true. These will be needs claims about anything that necessarily correlates with a true needs claim. The same applies to needs claims about necessary truths. For example, “Hillary needs 2+2=4” will come out as true.

³⁰ Flew (1981), White (1975: 107), Thomson (1987: 15). This is commonly discussed in connection with the proposal that all needs claims are really of the logical form ‘X needs Y in order to Z’. A similar view of must claims is defended by Finlay (2014).

claims like (ii).³¹

- (i) Hillary needs water.
- (ii) Hillary needs 2,383 delegates to win the nomination.

Put another way, it is sometimes suggested (I think) that the grammatical form of (i) rather than (ii) makes clear that we are dealing with a need from the privileged class of needs rather than the less important ones.

We can interpret these two debates as debates about the following questions: (1) are all needs claims concerned with *instrumental* necessity? (2) On the assumption that the answer to (1) is ‘no’, does the grammatical form of a needs-claim determine the kind of necessity invoked?

As we see from the parallel between ‘needs’ and ‘must’ the answer to each of these questions is a resounding ‘no’. One cannot tell what kind of necessity is relevant simply from the grammatical form of a needs-claim. With (i), the relevant kind of necessity could be *legal* (a dystopian government requires citizens to carry water at all times) or *prudential* (Hillary is extremely dehydrated) or *instrumental* (it is time to water Hillary’s prize plants).³²

It is readily apparent that whilst the relevant kind of necessity for needs claims is *sometimes* instrumental, as in ‘Blatter needs a corkscrew to open that wine’, the kind of necessity relevant to a needs claim is not always instrumental, as we see from the example of ‘Blatter needs to be punished’.

³¹ To be clear, the second question presupposes that the answer to the first is ‘no’.

³² White (1975: 105).

§4 Assessing Needs Theory in light of NCAMC

I want to now use NCAMC to assess the prospects for moderate and ambitious needs theory.

Remember the first three claims about needs I outlined earlier:

- (1) There are different kinds of needs / concepts of needs / senses of ‘need’.
- (2) Within this plurality is a privileged class of needs that is especially significant and significant in virtue of its connection to one particular state or property.
- (3) This privileged class of needs is fundamental, irreducible and morally important, in a way that has an important upshot for moral philosophy and/or moral thought.

Let me start with (1). If NCAMC is correct then (1) comes out as true. Whilst we do not have different meanings of ‘needs’ or concept of need we do get different kinds of needs and, on one interpretation, different senses, as long as that is understood as the claim that different kinds of necessity can be relevant to a need-claim.

What about claim (2)? This comes out as partly true. Some needs claims are normatively significant. They are so because they invoke a form of necessity that is, itself, normative. So the difference between ‘Blatter needs to be punished’ and ‘Blatter needs a corkscrew to open that wine’ is that the first is about what is *morally* necessary whereas the second about what is *instrumentally* necessary, coupled with the fact that only the first kind of necessity is, itself, a normative kind of necessity.³³ There are therefore some needs claims that are important in a way that is not common to all needs claims thus making (2) partly correct.

But what about the second element of (2), the idea that the normatively significant kind of needs are all connected to one particular state or property? NCAMC provides reasons to

³³ Rest assured, I will get back to claims like ‘Hillary needs water’ shortly.

doubt this.³⁴ It seems pretty clear that there are a plurality of properties or states that can be normatively significant and whose normative significance can be at issue when someone makes a need claim. Take this set of examples, ‘Hillary needs water’, ‘Blatter needs to be punished’, ‘The patient’s wishes need to be respected’. These are all needs-claims that are plausibly normative but it seems implausible that they are all connected to some *particular* state or property. More generally the fact that we get normative needs claims whenever a claim is made using any kind of normative necessity gives us reason to doubt that there is one particular state or property that is relevant to all of the normative needs claims. NCAMC thus gives us reason to doubt the second part of needs theorist’s claim (2).

An important question is *which* kind or kinds of necessity are relevant to the privileged class of needs claims? The suggestion that I have implicitly relied upon in the previous paragraphs is that the relevant kind of necessity is *moral* necessity. This is a natural suggestion, given the aim of finding a form of necessity that is normative, in order to thereby underpin the distinction between different classes of needs claims such that some of them are distinctively significant. On such a view, the privileged class of needs claims are claims about what is *morally* necessary or required. If that is right then when ‘Hillary needs water’ is used to make a claim from the privileged class then this is because it is a claim about the *moral* necessity of Hillary’s having water.³⁵

Notice though that *this* way of interpreting (1) and (2), where they come out as true and thus vindicating moderate needs theory, would straightforwardly refute (3) and ambitious needs theory. If the privileged class of needs claims just are claims about what is *morally* necessary then the claims within (3) – the normative claim and the conceptual-irreducibility claim –

³⁴ But see §5.

³⁵ As opposed to e.g. an instrumental or legal claim.

would each be false.

On the normative claim, the privileged class of needs could not have fundamental, irreducible, moral significance if they are, themselves, facts about what is necessary according to morality. The ambitious needs theorist contends that needs are morally important in that they are things that *generate* moral demands and requirements. They thus supply *justifications for* moral demands or requirements, rather than themselves *being* moral requirements. This idea is implicit in much writing about needs but it is explicit in Brock & Reader who write: '[I]f we act to help somebody, and someone asks us to justify ourselves, the response 'because she needed it' can function as a sufficient justification. Needs figure in respectable explanations and justifications for our moral actions.'³⁶

On the conceptual-irreducibility claim, if claims about the privileged class of needs are just claims about what is morally necessary or required then such needs claims would be straightforwardly reducible to claims about what is morally necessary, contra the conceptual claim of the ambitious needs theorist.

Here is a parallel to bring out the problem here for the ambitious needs theorist. Suppose that someone held the following views: (i) etiquette is morally fundamental and justificatory (ii) etiquette thought and talk is irreducible and (iii) that we should reorient moral thinking to take account of the fundamental importance of etiquette.

Imagine that, on further probing, it turned out that the requirements of etiquette just were the requirements of morality. Would this show etiquette to be fundamentally morally important? Would it show etiquette claims to be irreducible? Would it be compatible with the idea that we should reorient moral philosophy around it?

I take it that the answer to these questions is 'no'. If it turned out that the requirements

³⁶ Brock & Reader (2002: 427).

of etiquette were identical to the requirements of morality then etiquette would not have fundamental moral significance. We would have guaranteed that claims about etiquette were normative claims but only in a way that precluded them from being fundamentally *important to* morality.³⁷ Furthermore, on such a picture, facts about etiquette would themselves simply be strong moral necessity facts presented in a different vocabulary. It would be perfectly possible to restate claims about etiquette in other terms (namely moral terms). There would thus be no conceptual irreducibility.

If the kind of necessity relevant to the privileged set of needs claims is *moral* necessity then (3) is undermined. This suggests that the ambitious needs theorist should not take the privileged set of needs claims to be claims about *moral* necessity.

In fact, treating the privileged set of needs claims as concerning moral necessity is problematic apart from the poor fit between this view and ambitious needs theory. For it would seem to make such claims contingent on there being some agent for whom there is a moral necessity to alleviate the need. But what should we say about a situation where an unconscious person is (e.g.) severely dehydrated but *no-one* is in a position to provide them with water. The absence of a person who could have a duty or obligation (or even a reason) to provide the water would seem to force us to say that the person does not need water. But that seems clearly false. So anyone should be wary of treating the relevant kind of necessity as *moral* necessity.³⁸

³⁷ I am here relying on the distinction between morally significant facts (facts that generate moral reasons, requirements, permissions etc) and moral facts (facts about moral reasons, requirements, permissions etc).

³⁸ One might refine the proposal to avoid this counterexample. But any needs-as-moral-necessities view is vulnerable to the following objection: if moral error theory were true then it *would* be true that we do not have moral duties, obligations, or reasons to alleviate peoples' needs. But the truth of moral error theory would *not* show that people have no needs. If so, the relevant kind of needs cannot be so closely connected to *moral* necessity.

If the ambitious needs theorist should not take the privileged set of needs claims to be claims about *moral* necessity then what kind of necessity should they think is the correct one? Presumably, they should instead think of them as claims about *prudential* necessity. They could then hold that facts about prudential necessity are morally relevant - they *generate* moral demands and requirements and morally justify actions. There would then be the question of whether such facts were reducible.

Before moving on to consider that suggestion let me pause to take stock and restate the dialectic. I am evaluating the needs theorists' claims in light of NCAMC. I have shown that NCAMC provides an interpretation of (1) where it comes out true. There are different kinds of needs and different 'senses' of 'needs' inasmuch as there are different kinds of necessity that can be relevant to a claim about needs. I have also shown that NCAMC provides an interpretation of (2) where it comes out partly true. Some needs claims are normative because they are claims that invoke *normative* kinds of necessity, such as moral necessity. NCAMC is thus compatible with a form of moderate needs theory (as long as we drop the claim that the normative kinds of needs are all related to one state or property).

The issue that remains to be settled is whether NCAMC undermines *ambitious* needs theory. This is connected to the issue of whether the normative needs claims are always normative through a connection to *moral* necessity because, as argued above, if normative needs claims always invoke moral necessity then ambitious needs theory is undermined. The ambitious needs theorist thus needs some other kind of normative necessity to be relevant to the privileged class of needs claims. The proposal to be considered now is that the relevant form of necessity is *prudential* necessity.³⁹

³⁹ One might suggest instead that there is a neglected third alternative, such as teleological or biological necessity. I lack the space to consider that kind of view here.

§5 Prudential Necessity?

The prospects for ambitious needs theory depends upon there being a *prudential* kind of necessity, one that can make the privileged class of needs claims morally fundamental and conceptually irreducible, in order to vindicate (3). You might think it was obvious all along that needs theorists were thinking of prudential necessity, given that claims like (i) seem to be (at least typically) prudential rather than moral. Such a view also coheres nicely with the proposals that philosophers have typically offered for what the privileged class of needs are connected to -- survival, preservation of agency, harm avoidance, serious harm avoidance – all of which are clearly connected to prudential value.⁴⁰

There are many ways of developing a view of prudential necessity and I lack the space here to either canvass a wide range or to argue in full for one particular view. In what follows I simply lay out and provide some examination of one cluster of views which is plausible.

One way of thinking about these suggestions is in terms of prudential *thresholds*. On such a view, needs claims are claims about what is prudentially necessary, and this is to be understood as what is necessary for an agent to avoid being below a prudential threshold. Thus ‘Hillary needs water’ would be the claim that in all the worlds where Hillary avoids falling below the prudential threshold she has water.⁴¹

We need some more detail before we can examine the proposal. This is because we could think of the thresholds in different ways. A threshold could be a *particular* level of well-being (as in the case of preservation of agency or some minimal level of well-being). On this

⁴⁰ On this point see Grix & McKibbin (2016). Survival is a tricky one. Failing to survive (at all) is not a way of falling below a well-being threshold (on the assumption that the non-existent lack a level of well-being).

⁴¹ More precisely, where ‘Hillary needs water’ is used to make a claim about prudential necessity. I omit this, and similar, qualifiers below in the interests of brevity.

view all of the privileged class of needs claims would concern falling below one particular threshold.

Alternatively the threshold could be dependent upon the agent's level of well-being. The relevant threshold in the case of avoiding harm is simply one's *current* level of well-being. In the case of avoiding *serious* harm it is avoiding the level of well-being at least some particular magnitude below one's level of well-being.

Any needs theorist (be they moderate or ambitious) must answer the question of what the relevant prudential threshold is. Further, the ambitious needs theorist must do so in a way that does not undermine their wider view. Let us see some possible ways that they might proceed.

Suppose, first, that the threshold is a *particular* threshold, one that holds for all agents at all times independently of context. This view seems vulnerable to the following complaint: there just is no plausible single candidate for the threshold that is the truth-maker of all of the relevant needs claims. Take the suggestion that one needs something just in case and because it keeps or places the agent above a *minimal* level of well-being, such as that necessary to preserve an agent's agency or minimal functioning. That proposal seems vulnerable to cases like:

Flourishing Felipe: Felipe is living a very flourishing life. He contracts an illness which, left untreated by transplant, would be severely detrimental to his life but would neither kill him nor remove his agency. He would simply have a lot less enjoyment, moderate pain for long periods, and reduced ability to pursue his goals and projects.

Suppose Felipe claims 'I need a transplant'. This *seems* like a claim from the privileged class

of needs claims. But, by stipulation, Felipe does not risk falling below the minimal threshold. His survival is not at stake nor are the preconditions of his agency. But this seems like a clear case a need. What Felipe says seems true.

Felipe is but one example. But the recipe for such cases is clear. Take someone whose well-being is at risk of being low or being severely reduced (but without falling below the relevant threshold) if they do not get something. On the fixed threshold view it cannot be true that they need to get that thing. But that seems implausible. We seem to make true claims about what is needed by agents who do not risk falling to *such* low levels of well-being. What a needs theorist who advocates this proposal must come up with (at a minimum) is a plausible rationale for the threshold they defend.

A natural alternative is to hold the threshold is not fixed but is sensitive to the agent's *current* level of well-being. This is true on each of the two harm suggestions. Take the avoiding *serious* harm suggestion first.⁴² This view treats the threshold as being determined by the agent's current level of well-being but holds that the extent of the reduction in well-being must be greater than a certain (fixed) magnitude for the harm to count as serious (and thus for a claim from the privileged class of needs claims to be true). Such a view faces challenges. First, it needs to supply an explanation for what counts as a *serious* harm (and why).⁴³ Second, it face cases very similar to the case of Felipe. Any well-being reduction that is short of the required magnitude to count as serious will preclude a true needs claim being made, in a way that seems counterintuitive.

⁴² Thomson (2005: 175) 'one of the main features of the concept of a fundamental need is that it makes a virtue of natural necessity by cutting down options and, thereby, simplifying choice. One has no choice except having X or undergoing serious harm.'

⁴³ The ambitious needs theorist needs the explanation of what constitutes a serious harm to avoid treating serious harm as being connected to what we have moral reasons to prevent (or any other claim about morality), on pain of circularity.

A more plausible contender is the idea that prudential necessity should be understood in terms of avoiding harm (simpliciter). On this view, ‘Hillary needs water’ expresses the proposition that in all the worlds where Hillary avoids harm she has water.

This proposal has a number of apparent merits. First, it is supported by the plausibility of inferences from what we must have in order to avoid harm to what we need. That is, it seems right that any occasion in which someone will be harmed without X is one in which they need X. We can safely infer from ‘without X, S will be harmed’ to ‘S needs_[prudential] X’.

Second, the proposal makes good sense of the suggestions offered by needs theorists trying to develop accounts of the privileged class of needs. Even if some of the proposals identify something stronger than harm – such as conditions for *flourishing*, or the minimal conditions of agency, or avoidance of serious harm – they are all related to harm.

Third, unlike the *serious harm* threshold suggestion, it shows why needs claims seems to be warranted even with respect to avoiding *minor* ailments (‘I have a headache, I need painkillers.’) Fourth, given the moral significance of harm it (like the other proposals considered above) explains why needs are normatively significant.

Though I have pointed out some merits of the idea, I do not pretend to have provided a full assessment of the view that prudential necessity should be construed simply in terms of avoidance of harm.⁴⁴ But *suppose* that this is the right way of construing prudential necessity and so understanding the privileged class of needs. What would be the upshot for the different kinds of need theorist? Let me restate once more the three claims about needs that are common to needs theorists:

⁴⁴ One worry that I lack the space to take up is whether this proposal collapses the distinction between prudential necessity and instrumental necessity.

- (1) There are different kinds of needs / concepts of needs / senses of ‘need’.
- (2) Within this plurality is a privileged class of needs that is especially significant and significant in virtue of its connection to one particular state or property.
- (3) This privileged class of needs is fundamental, irreducible and morally important, in a way that has an important upshot for moral philosophy and/or moral thought.

Suppose the privileged class of needs claims are connected to *prudential* necessity and this is understood, in turn, in terms of the avoidance of harm. If this is right then (1) and (2) are secured. Good news for the moderate needs theorist.

It looks like bad news for the ambitious needs theorist though. If the privileged set of needs claims are simply claims about what the agent must have in order to avoid harm then (3) is false and ambitious needs theory fails. This is because whilst we find that needs claims undoubtedly concern something morally significant – the avoidance of harm – this serves to undermines the suggestion that needs thought and talk is irreducible and fundamental in moral philosophy. Contra the ambitious needs theorist, needs discourse *can* be reduced, in particular to claims about the avoidance of harm. Reader & Brock are thus mistaken that:

Value-based, rule-based and character-based theories have to make use of the concept of need as *fundamental, irreducible and morally important*, if they are to account for the simple needs-meeting moral contexts that are the bread and butter of everyday moral life. *Needs-talk cannot be eliminated, nor reduced to talk of values, rules or virtues.*⁴⁵

The relevant kind of needs talk is fully reducible to claims about the avoidance of harm.

Whilst needs discourse is perfectly respectable – it embodies no error – it does not *add* to the

⁴⁵ Reader & Brock (2004). My italics.

conceptual resources available in moral theorising or in everyday moral thought and talk. We don't *need* needs-talk.⁴⁶

§6 Conclusion

In this paper I have argued that we should interpret needs claims as modal claims and model them on the theory of how necessity claims, such as ought claims and must claims, are understood. Doing so highlights the commonalities and the differences between the various claims that we make using 'needs'. I then used this model of needs-talk to assess moderate and ambitious needs theory.

My main conclusion is that moderate needs theory is in good standing but that ambitious needs theory fails. It fails because even if we understand the privileged class of needs claims as being concerned with prudential necessity, this directly undermines the idea that the concept of needs is irreducible in moral thought and talk. There is nothing to be gained in moral thinking, or in moral philosophy, by thinking in terms of needs, rather than harm and well-being.^{47 48}

⁴⁶ Compare Bradley (2012) on 'harm'.

⁴⁷ There may also be something to be *lost* by thinking in terms of needs. Perhaps thinking and talking in terms of needs allows us to slide between importantly distinct issues.

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