Distinguishing basic needs and fundamental interests

Fabian Schuppert

a URPP Ethics, University of Zurich, Zurich, Switzerland

Available online: 02 Aug 2011

To cite this article: Fabian Schuppert (2011): Distinguishing basic needs and fundamental interests, Critical Review of International Social and Political Philosophy, DOI:10.1080/13698230.2011.583532

To link to this article: http://dx.doi.org/10.1080/13698230.2011.583532

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: http://www.tandfonline.com/page/terms-and-conditions

This article may be used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan, sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand or costs or damages.
whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.
Distinguishing basic needs and fundamental interests

Fabian Schuppert

URPP Ethics, University of Zurich, Zurich, Switzerland

Need-claims are ubiquitous within moral and political theory. However, need-based theories are often criticized for being too narrow in scope and too focused on the material preconditions for leading a decent life for grounding a substantial theory of social justice. The aim of this paper is threefold. Firstly, it will investigate the nature and scope of needs by analysing existing conceptualizations of the idea of needs. In so doing, we will get a better understanding of needs, which will help us to carve out the importance and singularity of basic need claims. Secondly, on the basis of the analysis of needs, it will argue for the concept of a fundamental interest in free social agency, which is much better suited than the idea of basic needs actually to ground a theory of social justice, as it highlights the social and institutional conditions for free agency. Thirdly, using the distinction between basic needs and fundamental interests, it will clarify their respective role in and importance for grounding moral principles. Overall, the paper offers a friendly critique of need-based theories, while arguing for a shift of focus to the idea of fundamental interests.

Keywords: needs; interests; capabilities; agency; justice

Introduction

Need-claims are ubiquitous within moral and political theory. In fact, the idea of a simple inescapable human need, which is of such urgency that it triggers a moral obligation to be met, is intuitively extremely strong and appealing. However, need-based theories are often criticized for being too narrow in scope and too focused on the material preconditions for leading a decent life for grounding a substantial theory of social justice. In other words, while a majority of political philosophers would acknowledge that a human being’s most basic needs are strong reasons to act, it is widely disputed that needs are a strong enough and thick enough concept to ground a full-blown set of social and political rights as part of a theory of justice.

Many existing moral and political theories draw on the intuitive moral appeal of need-claims implicitly, as for instance in Shue’s (1980) defence of basic rights and Nussbaum’s (2006) argument for basic capability.
equality. What is striking, though, is that purely need-based theories fail to find widespread support within the philosophical community. As the argument in this paper will suggest, this state of affairs is partially caused by a lack of clarity of existing need-based theories, and partially by the laudable, but counterproductive, attempt to let needs carry the full burden of justifying a particular set of basic rights. In fact, as the second section is going to point out, if we distinguish between basic needs and fundamental interests we are much better able to highlight the social and institutional conditions necessary for achieving a state of justice, in which the basic rights of all citizens are protected and promoted.

The aim of this paper is, thus, threefold: firstly, it will investigate the nature and scope of needs by analysing existing conceptualizations of the idea of needs. In so doing, we will get a better understanding of needs, which will help us to carve out the importance and singularity of basic need claims. Secondly, on the basis of the analysis of needs, I will argue for the concept of a fundamental interest in social agency, which seems much better suited actually to ground a theory of social justice, as it highlights the social and institutional conditions for free agency. Thirdly, then, using the distinction between basic needs and fundamental interests, I will try to clarify their respective role in and importance for grounding moral principles. In the course of this clarificatory endeavour I also hope to convince fellow political philosophers of the significance of need- and interest-based accounts for contemporary debates on social and global justice. Overall, the paper offers a critical, but friendly, addition to and expansion of need-based reasoning in political theory, arguing for a shift of focus to the idea of fundamental interests.

The paper is divided in three main sections: Following this introduction, the first section will offer a thorough investigation of needs, and the idea of morally relevant and urgent basic needs in particular. The second section will examine the nature of interests and propose a particular conception of fundamental interests, before, in the third section, we will turn our attention to the role and importance of both needs and interests within existing moral and political philosophy.

(Basic) needs

As stated in the introduction, need-claims often exhibit an immense sense of urgency, as a need is understood as something inescapable and pressing, leaving the needing being in a state of vulnerability. A simple, and to most people intuitively clear, example is the little child in the desert who claims (with exhaustion and desperation in her eyes) ‘I need water’. Most of us would agree that we have (as long as it does not impose significant costs on us) a duty to give the child water, if we happen to have plenty thereof. At the same time, though, need-claims like ‘I need water’ seem to be
extremely vague, if not even indeterminate, as we do not really know (from the statement itself) for what purpose the claimant needs water.

Hence, simple need statements such as ‘I need water’, or ‘I need money’, can be considered incomplete as long as the question of ‘what for?’ has not been answered. Put into a formula, this means that all needs can be expressed as P needs X in order to Y (Barry 1965).

Based on the answer to the ‘what for?’ question, we can then distinguish between contingent and non-contingent needs. As Reader and Brock (2004, p. 252) point out,

[c]ontingent needs are requirements for contingent ends, which the needing being might or might not have . . . [n]on-contingent needs, by contrast, are necessary conditions for non-contingent aims that the needing being could not but have. . . . Needs-theorists offer various concepts as candidate non-contingent ends, for example agency, life, flourishing or avoidance of harm.

Hence, the earlier made statement ‘I need water’ can be seen as a non-contingent need, once it is clear that the claimant needs water in order to survive, while the very same statement could also express a contingent need, namely if it were the case that the claimant needs water in order to wash her car.

Washing one’s car does not seem to be an appropriate candidate for a non-contingent need, as non-contingent ends are ends which a person necessarily has. Washing one’s car is a personal contingent end, as there are many people who do not own a car and who certainly do not have a need for water in order to wash their (non-existing) car. Non-contingent ends must thus be very basic in nature, as suggested by Reader’s and Brock’s list of ends quoted earlier, as an end can only be considered non-contingent if a person necessarily cannot be/do without it.

Reader and Brock (2004, p. 252) go on to claim that non-contingent needs entail that ‘the very existence of the needing being is at stake’. This assumption, however, is extremely strong, and also limiting, as non-contingent needs would thus only be things that are unavoidably necessary and urgently required for safeguarding the continued existence of a certain being. Reader and Brock (2004) conclude that non-contingent needs, precisely because of their unavoidability and urgency, create immediate moral obligations on others to meet these needs.

Other need-theorists also highlight the unavoidability and urgency of non-contingent needs, though non-contingent needs are not construed as necessary means for safeguarding sheer existence, but rather as necessary for avoiding sustained and serious harm (Doyal and Gough 1991, p. 50, Thomson 1987, Wiggins 1987, p. 14).

According to Doyal and Gough (1991, p. 55), for instance, ‘survival and autonomy are the basic preconditions for the avoidance of serious
harm’, which leads them to the claim that a need-based theory of morality must, first and foremost, be concerned with securing every person’s survival and the basis for every person’s autonomous agency.\(^2\)

However, there are two problems which both survival-focused and harm-focused accounts of non-contingent needs share. Firstly, the mere fact that an end is non-contingent must not, per se, imply that every non-contingent end is also a morally valuable end. Secondly, in both accounts the nature of the need, i.e. whether it is contingent, or non-contingent, as well as its moral force depends on the nature of the end it serves, which seems to suggest that we should be more concerned with analysing the respective ends, rather than the needs. Phrased differently, once we know which ends are non-contingent and valuable we also know which needs we have moral obligations to meet.

The first problem is relatively easily addressed. Theorists focusing on survival claim that safeguarding a human being’s survival is not only a non-contingent, but also a universally valuable end, as all human beings have inherent equal moral worth so that letting a human being die, or jeopardizing its survival, by not meeting its basic non-contingent needs, is morally wrong. Similar arguments are presented by harm-focused theorists, who claim that the avoidance of serious harm is a moral good, since serious harm hampers people’s ability to live freely, or realize their moral interests. Since enjoying freedom, or realizing one’s moral interests, is understood to be intrinsically good, hence avoiding serious harm and its effect on people’s ability to lead a decent life must be good, too.

The related question of whether all non-contingent needs must – by default – be conducive to promoting non-contingent and universally valuable ends can easily be evaded by introducing another, very popular distinction, namely between basic and non-basic needs. Basic needs are needs which possess absolute necessity for achieving a universally valuable end, whereas non-basic needs are needs relevant for achieving a private not universally valuable end (Thomson 1987, ch. 1, Doyal and Gough 1991).\(^3\) Again, though, the precise distinction and classification of needs seems to depend on the particular end they serve (which is the second problem I mentioned above).

The second problem is not a problem for need-based theories as such, but rather for the idea, underlying most need-based theories that needs are special due to their direct moral force and their unimpeachable and objective nature, so that needs should be at the core of moral reasoning (Thomson 1987, Brock 1998a, Wiggins 2005, Reader 2007). After all, if needs are only morally important if they are necessary for fulfilling a universally valuable and non-contingent end, then moral theory should first analyse the ends in question, before paying attention to their respective needs.

In order to give an adequate answer to this second question we have to do two things: firstly, we have to clearly identify the normativity we
attribute to certain basic need-claims and where this normativity stems from; secondly, we have to analyse and differentiate the four candidates for non-contingent universally valuable ends, namely, life (i.e. survival), agency, harm avoidance and flourishing, and examine their exact connection to the existence of certain needs and interests.

Let me start by summarizing some rather well-known observations concerning the normativity of needs, familiar from the existing literature.

There seems to be something quite distinct about needs and their intuitive appeal for grounding moral obligations and principles. As Thomson (1987, p. 8) puts it, a need is normative, as opposed to merely instrumental, when the (normative) claim ‘A has a need for X’ ‘implies that X is practically necessary specifically for A ... when he [i.e. A] cannot do without it [i.e. X], when his life will be blighted or seriously harmed without it’. Wig- gins (2005, p. 29) rightly adds, citing Aristotle, that the normativity of basic need-claims appears to stem from their sheer necessity, defining necessity as the things/goods without which one cannot do, or – even stronger – without which it is impossible to live.

According to this conceptualization of the normativity of needs, then, basic needs are absolutely necessary, not only for achieving an end Y, but also for A, the needing being, as such, existentially. Furthermore, because of X’s inescapable necessity for A, basic needs of this kind are of seemingly unique moral force, suggesting that they should have priority over other moral claims (Wiggins 1987, p. 25, Goodin 1985). If these two assertions, which many need-theories share, are true, basic need-claims, while limited to needs of existential importance for the needing being (which probably disqualifies flourishing from the list of potential candidates of underlying valuable ends), would have priority over other moral claims such as for instance equal political rights.

However, criticisms of the supposed normativity and necessity of basic need-claims are just as common in the literature as their defence (Frankfurt 1984). Needs-theorists therefore must distinguish clearly between basic inescapable needs (of unique moral urgency), other valuable states and ends (and their connected needs), and merely subjective preferences and desires.

It should be clear that basic needs and subjective desires are utterly different. A person might have a strong desire, or want for something, but the fact that the person wants something is of no relevance to whether she needs something. If she needs water in order to survive, it does not matter whether she actually wants water, nor does the fact that she wants a particular glass of water mean that she needs (exactly that) water (as in the case of contaminated water which would actually kill her). Also, the fact that strong desires and wants are often subjectively experienced as states of need, does not alter the irrelevance of desires and wants for basic need-claims.
If we accept the above-made claims in support of the moral force of basic needs, we should re-define basic needs as needs which possess absolute necessity for the existence of the needing being, as the needing being cannot be and do without the basic need being met. As noted above, making such a statement is both normatively strong (and hopefully forceful) and at the same time conceptually limiting, as the group of needs which is of such central importance to the sheer being of the needing person is certainly rather small. Based on this better understanding of basic needs and their necessity we can therefore now analyse life, harm avoidance, agency and flourishing as the most likely candidates for being the implicitly assumed valuable non-contingent end(s), underlying basic need-claims.

Life, or bare survival, certainly appears to be the most likely candidate for being the underlying non-contingent and universally valuable end Y, which is implicitly part of all basic need-claims. Bare survival, without a doubt, is an end Y which is intrinsically linked to the claimant’s mere existence, as, if we take the preceding example, A dies (i.e. ceases to live) if her basic need for food remains unmet. There really does not seem to be a structural requirement to mention ‘in order to live’, or ‘in order to survive’, as qualifiers for the basic need-claim, as – by definition – the fact that ‘A has a basic need for food’ is a basic need-claim means that not meeting this need threatens A’s existence.

However, while basic need-claims, thus, seem straight forwardly concerned with, and limited to, life or death scenarios, most basic need-theorists would object that construing basic needs in this way renders the idea of basic needs too narrow in scope. Wiggins (1987, 2005), Thomson (1987, 2005), Doyal and Gough (1991), as well as Reader (2007), Braybrooke (1987) and Brock (1998b) all claim that basic needs, while being absolutely necessary for A as such, serve either the end of agency, or harm avoidance. Moreover, most of these theorists would claim that if needs are connected to agency, or harm avoidance, a need-based theory can arrive at a whole set of basic rights (and even principles of justice), which goes well beyond securing every person’s basic survival. Let us, thus, engage in more detail with the ideas of agency, flourishing and harm avoidance as the basis for a need-based theory.

Agency (in the for basic need-claims relevant form), as defined by Doyal and Gough (1991, p. 53), is an agent’s ability ‘to make informed choices about what should be done and how to go about doing it’. Doyal and Gough (1991, p. 54) go on to explain that ‘since physical survival and personal autonomy are the preconditions for any individual action in any culture, they constitute the most basic human needs – those which must be satisfied to some degree before actors can effectively participate in their form of life to achieve any other valued goals’. Phrased differently, according to Doyal and Gough (1991, p. 53), apart from merely securing survival...
a person’s basic needs also require that one is able to exercise one’s own actions for one’s own reasons.

However, agency is a complex concept and various passages in Doyal and Gough’s (1991, ch. 4) seminal work on human needs are rather confusing, as it is unclear whether Doyal and Gough really write about minimal agency, or some thicker account of free and autonomous rational agency. To write, for instance, that agency is on par with personal autonomy, defined as having an understanding of oneself and one’s social environment, having the psychological capacity to form opinions, and further having the opportunity to act on these opinions (Doyal and Gough 1991, p. 60), is much stronger than the assertion that being (up to a degree) able to reason is a necessary aspect of the avoidance of serious harm (Doyal and Gough 1991, p. 55). The fact that Doyal and Gough refer back to harm avoidance as a prudent reason for safeguarding every person’s survival and agency, actually raises the question whether it is harm avoidance or agency we should be concerned about.

Despite these problems with Doyal’s and Gough’s account, I think there exists a compelling reason for including minimal agency in the group of ends which underlie basic need-claims. Minimal agency refers to the idea that an agent is able to form intentions, identify and process reasons, and act on the basis of his/her intentions and reasons. However, being able to do so, does not mean that one always acts on reasons which are either one’s own, or most conducive to achieving one’s goals. Minimal agency, then, is about fulfilling some basic rationality criteria and being able to execute one’s will in a limited, imperfect sense.

The reason why minimal agency seems an appropriate end underlying basic need claims is that any human being appears to require at least this minimal form of agency in order to be an active member of the social community. Minimal agency is a prerequisite for being able to act in the light and on the basis of one’s intentions and reasons (Gewirth 1978). However, minimal agency does not guarantee that one acts freely and autonomously.

The needs which have to be met in order to have minimal agency are of existential necessity for the very being of the agent, and thus basic needs in the proper sense. That is to say that the mere existence of the agent, the acting human being, essentially and necessarily depends on the satisfaction of the needs a human being has for achieving minimal agency. Basic agency, then, definitely is a necessary aspect of a person’s being as without minimal agency one ceases to be an agent and becomes a passive patient. Thus, Doyal and Gough seem right in advocating agency and survival as the implied ends of basic need-claims, as only agents are able actually to make claims.

The requirements for achieving minimal agency, however, are relatively limited. They include the mental capacity to identify oneself, to form intentions, to consider reasons, the physical security to act purposefully, and the...
fulfilment of all relevant needs for securing one’s (prolonged) survival. The basic needs necessary for survival, meanwhile, are enough nutritional food and clean water, a minimally healthy natural environment, basic health care, protective shelter and clothing, and basic physical security.

However, need-claims on the basis of thicker accounts of personal autonomy, or full rational agency, are simply beyond the scope of basic needs, as the lack of fuller (i.e. more substantial) personal autonomy and free rational agency – while certainly being harmful and detrimental to the agent’s ability to live a good life – cannot be considered to be existentially necessary for the being of the need-claimant. Phrased differently, even if one lacks the conditions to reason independently and act freely, one is still an agent who enjoys minimal agency. In other words, if we want to appeal to the unique moral force of basic need claims (based on their existential importance for the needing being itself), we cannot include demanding ideas like autonomy or free rational agency in the group of ends underlying basic need claims. Basic need claims are about existential necessity, while free agency and autonomy seem to appeal to ideas of justice and the good life.

Our answer to the question of whether agency is a possible candidate for the group of ends Y which underlie basic need claims, mirrors, in fact, the answer to the question of whether the avoidance of harm falls into this group. Harm avoidance, just like agency, is a rather wide idea and it seems necessary to introduce some further distinctions. Let me, thus, briefly demonstrate, using as an example Thomson’s definition of (serious) harm, why harm avoidance in general is too crude a concept in order to satisfy the conditions specified by our account of basic needs.

Thomson (2005, p. 178) writes ‘[a] person is [seriously] harmed when he or she is deprived of engaging in non-instrumentally valuable experiences and activities’. Needless to say defining harm in this way means that cases in which a human being dies, or lacks agency, because it was unable to meet its basic need for X, constitute cases of serious harm. Thus far, then, harm avoidance, just like life and basic agency, would be an end which underlies basic need-claims.

However, Thomson’s definition construes all non-instrumentally valuable experiences and activities as necessarily connected to basic needs, which means it is much wider than the above-discussed ends of life, or minimal agency. That is precisely the problem. A range of experiences and activities might be valuable for non-instrumental reasons, such as for instance flourishing, but it seems more than doubtful whether the state of ‘not flourishing’ is actually a state which threatens the very existence of the suffering being. While it is certainly true that a person who is deprived of the opportunities to flourish is harmed, and possibly even seriously harmed, and that a person not having the opportunities to flourish might constitute an injustice, it is not a case of existence-threatening deprivation and lack. It
seems, then, that we would have to distinguish between existence-threatening harm and other forms of serious harm, if we wanted to get a better understanding of when harm avoidance can be seen as a valid end Y, which underlies a certain basic need claim to X.

The main problem for most champions of need-based theories of morality is that while they rightly differentiate between the things and goods a human being needs in order to exist and develop at least minimal agency (i.e. basic needs) and those things and goods a person requires instrumentally for achieving certain ends, they expect too much of the idea of basic needs in terms of justifying moral entitlements for people’s ability to realize a set of universally valuable ends, other than survival and minimal agency. In fact, even though need-theorists distinguish between contingent and non-contingent needs, most fail to see that the category of basic need-claims only covers a sub-set of non-contingent needs, namely those required for securing a human being’s survival and agency. However, there exist other non-contingent needs for valuable ends, such as flourishing or free agency, the normative appeal of which stems from something else than from existential urgency (as in the case of basic needs).

At this point, it is crucial to emphasize once more that the reason why we ended up with such a narrow account of basic needs, is the justification of the moral urgency of need-claims, which existing theories give. That is to say, that currently most need-based theories try to have their cake and eat it, too, as they on the one hand claim that need-based claims are of special moral urgency and intuitive appeal, and on the other hand they try to justify on the basis of this claim a rather substantive set of basic rights and principles of social justice. However, in so doing, the concept of need becomes blurred. Hence, the aim of the argument in this paper is to distinguish clearly between the realm of necessity (i.e. basic needs) and the realm of justice (i.e. fundamental interests).

Therefore, neither the ends of harm avoidance and agency in general, nor the end of flourishing provide the underlying justificatory basis for basic need-claims. Basic need-claims are extremely limited in scope, as they merely specify the most elementary requirements for the prolonged existence and minimal agency of a human being. The group of non-contingent needs which are of necessary instrumental value for achieving the universally valuable ends of persons, meanwhile, is the object of people’s fundamental interests. It is precisely this crucial difference, I want to uncover in the next section.

(Fundamental) interests

The term ‘interest’ is used in moral philosophy in a myriad of ways, ranging from the narrow self-interest of the individual to interests as objective ends. Raz (1986, p. 166), for instance, claims that a person P has a right if
and only if P has an interest which is deemed to be a sufficiently strong reason to impose a duty on another person. Similarly, philosophers like Fabre (2000) and Caney (2009) claim that every person has a set of vital interests, which ground a substantive set of social and political basic rights.

While many theorists, thus, make prominent use of the concept of ‘interest’, they do little to clarify what a fundamental, or vital, interest actually is. Wiggins (1987, p. 17) simply champions the idea that all humans have vital interests corresponding to their most urgent, non-substitutable needs, whereas Doyal and Gough (1991, p. 55) declare the avoidance of harm to be every human being’s most fundamental interest. Overall, though, little is being said about what interests actually are, where they come from, and how we can differentiate between fundamental and non-fundamental interests.

Moreover, it is striking to observe that many philosophers, whose work focuses either on needs or interests, often presuppose an inevitable *Wesen-zusammenhang* between needs and interests, without properly defining interests, and without investigating the exact nature of the relationship between needs and interests.9 David Wiggins (1987, p. 17), for instance, equates needs and interests writing that ‘[h]is having the need for x is then the same as his having a vital interest in having x’. Doyal and Gough (1991, p. 39) also see a direct connection between needs and interests claiming that ‘[n]ot to try to satisfy needs will thus be seen to be against the objective interests of the individuals involved and viewed as abnormal’. While there exist plenty of examples one could add in order to extend this list, the nature of the relationship between needs and interests remains obscure.

The prominent exception to this rule is Thomson (1987, ch. 4), who in fact offers two definitions for interests, even though he does not differentiate between fundamental and non-fundamental interests. The first definition, presented in Thomson’s 1987 (p. 76) book on needs, suggests that interests specify ‘the range and type of activities and experiences that partly constitute a meaningful and worth while life’. The second definition (Thomson 2005, p. 181) presents interests as ‘the motivational sources or nature of non-instrumental desires’, indicating ‘why we want and not what we want’. Thomson describes interests as expressing core motivational ends.

According to Thomson’s definition, then, interests adhere to the form P has an interest in Y, with Y being a non-instrumentally valuable end. For Thomson, if a person is prevented from satisfying her interests, she is harmed. Thus, in Thomson’s model interests and basic needs go hand in hand, as ‘we require the notion of an interest to explain what harm is, and we require the notion of harm to explain what a fundamental need is’ (Thomson 2005, p. 185).

As pointed out earlier, though, Thomson’s idea of serious harm, which is based on his idea of interests, is too wide in order to account for the
unique moral force he wants to see attributed to basic need-claims. Therefore, his notion of interest sits uncomfortably with the assumed intrinsic normativity of basic need-claims.

Take for instance the case of happiness. Thomson’s idea of interests would identify a person’s desire for happiness as rooted in that person’s interest in happiness. That means, however, if this person somehow ends up being unhappy, for instance because her favourite football team lost, Thomson’s theory suggests she was seriously harmed, which triggers a set of moral obligations on others. While Thomson’s theory allows for making the person happy by alternative means, as he argues that every interest includes a range of desires, and if one desire simply proves unaccomplishable, we can simply opt for satisfying a different desire, the fact remains unchanged that a person’s happiness would be directly linked to the concept of basic needs. In the light of our insights into the nature of basic needs, surely this cannot be right.

However, Thomson’s definition does prove useful for our task of grasping the idea of fundamental interests. Thus far, we have identified a narrow set of basic needs, which secure the basic existence and agency of every human being. Now, we are interested in conceptualizing the range of universally valuable ends of persons, that is, a person’s fundamental interests. The idea of interests is commonly taken to be closely connected to the idea of persons, which is to say that while all organisms have certain needs, only persons have interests. The concept of personhood is obviously a complex one and the subject of numerous debates in both moral philosophy and metaphysics (Parfit 1984, Wilson 1984, Clark 1992, Strawson 1959).

For the argument presented here we will try to stay clear of too far-reaching metaphysical assumptions, by simply defining a person as a self-conscious embodied animate and emotive (human) being (Sapontzis 1981, p. 607) who is capable of exercising rational agency and acting freely. In other words, the concept of a person expresses the idea of humans as rational animals who possess rationality and reason.

Persons, because they are reason-responsive rational agents with the capacity to freely and autonomously form plans and take actions (for which they can be held responsible), have a range of interests which fundamentally structure a person’s range of desires, wants and preferences. As Sapontzis (1981, p. 609) puts it (in a for us slightly circular manner), a person ‘is a being whose interests must be respected’.

However, in order to grasp the normative force of the concept of interests we have to distinguish between the fundamental interests of a person connected to her rational agency and a person’s non-fundamental (self-) interest, that is her preferences and desires stemming from her particular conception of the good. After all, every person does have a range of differing interests, some of which are universalizable, as they are directed at shared, non-contingent universally valuable ends (these shared interests are
fundamental interests), and some interests directed at subjectively valuable ends, according to the person’s particular conception of the good (i.e. non-fundamental interests). For the remainder of this paper, I will focus on the former, as the latter are only secondary concerns for our account.\footnote{11}

The key to understanding the difference between fundamental interests and other non-fundamental interests is the distinction between non-contingent needs and contingent needs, and vice versa. On the one hand, there are certain subjective ends a person might have an interest in to pursue, and these subjectively valuable ends call for the satisfaction of a range of contingent needs. On the other hand, there are ends which are universally valuable for every person, independent of the particular conception of the good a person holds, and these ends require the meeting of certain non-basic, but non-contingent needs.

The way in which to determine into which category a certain need may fall, is to analyse the distinctive end a need serves. If a need is necessarily required for securing a human being’s survival, it is a basic need, as discussed in the previous section. If a need is necessarily required for giving a person the possibility to fulfil a universally valuable and shared end, such as acting freely and reasoning autonomously, the need is non-contingent.\footnote{12} If a need is required for satisfying a person’s particular subjective interest, such as living in a big house, it is a contingent need.

Fundamental interests, then, specify the goods and things a person requires for enjoying conditions under which a person can be a free and autonomous rational agent, as being a free rational agent is an ideal every person has an interest in, independent of their particular conception of the good.\footnote{13} A fundamental interest is something every person shares, so that the specific needs such a fundamental interest necessarily entails are needs ‘the needing being could not but have’ (Reader and Brock 2004, p. 252). Therefore, in order to fully comprehend the importance and conceptual range of fundamental interests, it is crucial to explicate what a fundamental interest in free social agency actually prescribes.

The fundamental interest in free social agency defines the preconditions for a person to become a socially recognized free and autonomous rational agent, independent of the person’s particular conception of the good. That is to say that the fundamental interest specifies a range of freedoms, goods and things which are seen to be necessary and valuable for a person to be able to reason autonomously and to be a free and equal member of society.

The interest in social agency is fundamental as it is non-contingent, it is a necessary interest every person has, which sets out the social, political, economic and psychological preconditions for a person to be able to exercise her freedom to act autonomously. The underlying idea of free rational agency, then, is not a thick conception which prescribes what kind of activities are valuable as such, but it is a thin, weakly perfectionist, conception which follows the Kantian idea ‘to think for yourself’ (Wood 2008, ch. 1)
as well as the Hegelian insight that freedom and autonomy are complex social states (Pippin 2008). Let me explain this in more detail.

The underlying thought is that every human being, qua being a rational animal, should ideally be able to act as a free and autonomous agent, acting not just in accordance with reasons but also freely for reasons, which are the agent’s own. However, to champion rational agency is not to say that human beings can, or should, act on the basis of reasons which serve narrow self-interests, as to act rationally ‘is to act for grounds that are essentially intersubjective – not merely comprehensible by others, but also in some sense shared by and valid for others as well as for oneself’ (Wood 2008, p. 18). A rational agent is thus not a coldly calculating egoist (as many critics of Kantian ethics would make us want to think) but a social being who gives and listens to reasons, that is a person in the social ‘space of reasons’ (Sellars 1989, p. 169).

That is to say that we do not reason and act freely isolated from other beings but in a shared social space, a normative and discursive space in which we give, receive, defend and debate reasons for and against certain actions. While it is undeniably clear that we live in a social world, our account of rational agency claims that being socially and intersubjectively connected is necessary for and constitutive of rational agency, and not – as often suggested – an obstruction to it. In short, in order to be free rational agents we need to stand in certain relations to the other members of society, namely, in relationships of mutual intersubjective recognition (Pippin 2008). According to Hegel (1970, §57 R), we cannot be rational agents, that is free beings, alone, or independently of others, but ‘freedom is understood by Hegel to involve a certain sort of self-relation and a certain sort of relation to others’ (Pippin 2000, p. 156). Phrased differently, free rational agency requires as a relation to others and as the basis for proper self-relation mutual, reciprocal recognition and discursive practices in which the agent can express her normative commitments and take responsibility for her actions and judgments. This idea of freedom as a socially constituted state can also be found in Pettit’s (2001, p. 103) account of freedom as discursive control, in which he observes that a person is free due to her ‘status in relation to others’, a status which requires common recognition (2001, p. 101).

Based on this Kantian–Hegelian conception of free agency, the fundamental interest in free social agency, thus, prescribes a range of social relationships as necessarily constitutive for autonomous agency as well as personal freedom. Therefore, the fundamental interest advocates values such as freedom as non-domination (Pettit 1997), social equality, mutual inter-subjective recognition, and democratic fairness as basic requirements for a person’s capacity to act autonomously as a free and equal member of society.
A theory based on the idea of fundamental interests should, therefore, be able to provide a politically demanding and philosophically well-grounded account of social justice and basic rights, as it fleshes out the social–relational conditions for free agency, going, thus, beyond the rather narrow and materialist scope of basic need claims. The fundamental interest in social agency highlights the wide range of goods and things a person actually requires for being able to act freely, and it does so without the often perplexing deduction of complex social rights from basic human needs (a point that will be further discussed in the next section). Instead, by distinguishing between basic needs and their limited scope, and fundamental interests, an interest-based account of morality also manages to flesh out the difference between minimal justice (i.e. basic need satisfaction) and social justice (i.e. giving all persons the possibility to realize their fundamental interest in free social agency).14

Before we further analyse the exact role basic need-claims and fundamental interests should play in political philosophy, it is important to briefly recapitulate the various points of the argument presented thus far. In the course of the last two sections, we differentiated three distinct kinds of claims and conceptual categories on which these claims are based.

Firstly, there are basic need-claims. Basic needs specify the goods and things a human being requires for being able to live and to develop minimal agency. Moral claims based on basic needs are of immense normative force as basic needs are of existential necessity for the needing being. Based on the idea that all human beings are of equal moral worth and that human life as such is valuable, it becomes clear that basic need-claims should enjoy priority over less existential need-claims.

Secondly, there are fundamental interests. Fundamental interests define the goods and things a person necessarily requires in order to realize a shared, universally valuable and non-contingent end. In the discussion we focused on the idea of free social agency as the object of such a fundamental interest, as it exemplifies the ideal of being able to live autonomously as a free and equal member of society. Claims based on a person’s fundamental interest are claims of significant normative force, as they are claims of justice, promoting the universally valuable end of free agency.

Thirdly, there are contingent need-claims, which are the expression of mere subjective wants, preferences and desires. While a person might feel that some of these claims are of significant importance for achieving a certain personal end, claims based on wants, preferences and desires are only of secondary concern within our account.

Hoping and assuming that readers deem the preceding arguments and distinctions to be philosophically sound and convincing, I will devote the next section to a brief account of the normative importance of basic needs and fundamental interests for contemporary moral and political theory. As I aim to show, an interest-based account of basic social and political rights
and principles goes a long way towards conceptualizing the idea of social justice, while salvaging the nowadays often discredited idea of (basic) needs.

Interest-based moral and political theory
In contemporary moral and political philosophy, need-based accounts are far and few between, as the majority of theories fall into one of three categories: consequentialism, deontological theories, or virtue ethics. Moreover, even accounts which seem to be implicitly drawing on the idea of needs, such as Nussbaum’s (2000, 2006) and Sen’s (1987, 1999) capability-based theories are questioning the force and relevance of need-based moral philosophy (Alkire 2002).

Alkire (2005, p. 238) for instance suggests that need-claims are particular and relative to the respective socio-cultural context in which they are ushered, so that a capability-based account – which supposedly is more objective – is much better suited to ground universal moral principles. However, nothing of what we said about basic needs (or fundamental interests) in the previous sections supports Alkire’s charge of relativism.

In fact, basic need-satisfaction seems to provide a perfectly universal starting point for any moral and political theory. After all, the basic needs of people for survival and minimal agency are not as likely to differ depending on the socio-economic circumstances in which the need-claims are advanced as capability claims. That is to say, while it is true that our ideas about how much income, mobility and other goods a human being requires in order to be considered to live a free and autonomous life (e.g. today we might have different standards than in the 18th century, as the case of broadband internet access as a basic right in Finland suggests), which clearly would affect the exact conditions under which an agent can be considered to have his/her fundamental interest fulfilled, this is an issue which capability-theories and interest-based theories face alike. However, basic need claims seem much less likely to be affected by changes in relative wealth, as the underlying end of basic need claims is to secure a being’s survival and minimal agency.

Therefore, basic need-claims are actually less relative than basic capability-claims. As a matter of fact, a theory which distinguishes between basic need-claims and fundamental interest-claims has a huge advantage over most existing capability-theories as the distinction between needs and interests allows prioritizing basic human survival over other moral claims, without subscribing to an unattractive version of crude sufficienitarianism (Casal 2007, Reader 2006). Nussbaum and Sen both struggle to offer convincing arguments for differentiating between more basic and less basic capabilities and freedoms (Kaufman 2006), and Nussbaum (2006, p. 274)
actually refers back to needs in her own account. Hence, needs surely deserve more attention than they currently receive.

The concept of basic needs developed in this paper stresses the importance of certain absolutely necessary goods, which are essential for leading a human life and being a human agent. Because of their existential importance for human life, basic need-claims exhibit a form of moral urgency that is unmatched by other moral claims.

Basic needs define the proper minimum threshold for at all conceiving of the idea of justice. Since securing a being’s survival and minimal agency are necessary preconditions for talking meaningfully about substantive principles of social justice, social states in which some human beings are unable to permanently achieve minimal agency should almost always be considered unjust. Phrased differently, the idea of social justice refers to the nature of social relationships (and their connected institutions), trying to secure the conditions for the free and autonomous exercise of every person’s rational agency, but in order to have any chance of achieving justice we first have to meet every person’s basic needs, since free rational agency is of no use for those starved to death.

Taking therefore the unique moral force and the existential importance of basic needs seriously, a theory of social justice should attribute priority to all basic need-claims. After all, only once all human beings are saved from abject destitution and above the threshold of minimal agency are we at all able to speak meaningfully about the idea of social justice and the different rights and duties of persons. The question of basic need satisfaction, then, seems to come prior to question about personal desert and fairness (Miller 2001).

Claims based on people’s fundamental interest in free social agency, then, define the idea of social justice. As the things and goods required for realizing one’s fundamental interests are for every person the same, the fundamental interests actually present a list of primary goods and freedoms, which every person should ideally possess.

An interest-based account of justice and morality, thus, offers an extremely attractive and convincing way of returning the idea of needs (namely, basic and other non-contingent needs) to the core of moral and political philosophy. An interest-based account prioritizes the meeting of every human being’s basic needs and argues then for a set of institutions and practices in which every person enjoys the conditions to realize her own fundamental interest in free social agency. Such a conception of social justice is both sensitive to the special need-claims of the poorest of the poor and robust enough in order to provide a highly attractive and complex framework for thinking about and institutionalizing justice. Instead of trying to let the concept of need, thus, shoulder the entire burden of grounding a full theory of social justice, the arguments presented here suggest that we should carefully distinguish between basic need claims and fundamental
interests. Hence, need-theorists should stop arguing against criticisms suggesting that basic needs are narrow in scope and materialist in their outlook (Alkire 2005). On the contrary, an interest-based account can wholeheartedly embrace this characterization of basic needs, as basic needs cover only the absolute minimum, since it is the fundamental interest in free social agency, which defines the requirements of social justice.

Conclusion
In this paper, I presented an argument which helped us to distinguish between basic needs and fundamental interests. While basic needs are of absolute necessity for securing a human being’s survival and minimal agency, fundamental interests specify the goods and things a person requires in order to exercise his/her agency freely. Based on the existential importance of basic needs, I argued that a need- and interest-based account of political theory, should give priority to basic need-claims, while advocating the satisfaction of everybody’s fundamental interest as the proper ideal of social justice. In doing so, I highlighted the imminent importance of basic needs and fundamental interests for contemporary moral and political philosophy.

Acknowledgement
I would like to thank Gavin Kerr, Cillian McBride, Keith Breen, Shane O’Neill, Stephen Rainey, Dario Castiglione and three anonymous referees from CRISPP for their helpful comments and suggestions. I also would like to acknowledge the generous financial support from the School of Politics, International Studies and Philosophy at Queen’s University Belfast and from Stiftung Mercator Switzerland (http://cms.stiftung-mercator.ch/cms/front_content.php), without which the research for this paper would not have been possible.

Notes
1. The simple fact that many people share the intuition that an existential need, like the one of the child in the desert, imposes a duty to assist is obviously, by and in itself, no proof that such duties do, indeed, exist. The only reason I chose this example is to highlight the fact that, in simple cases like this, most people intuitively feel that (basic) need claims do have a fair amount of moral, or normative, force.
2. The question of whether autonomy is a necessary constituent of harm avoidance is certainly debatable. However, as I will later deal with the exact scope and content of basic needs, I will for now simply accept this claim.
3. The distinction between basic and non-basic needs is rather crude, since there seem to be a range of non-basic needs which are nonetheless non-contingent, namely, because they are connected to fundamental interests, or to non-basic valuable ends. However, this is a point I will discuss below.
4. Remember that earlier we defined basic needs as needs which possess absolute necessity for achieving a universally valuable end. This earlier definition still
holds true, but it lacks the aspect of added normative force stemming from the basic need’s inescapable necessity for the being of A.

5. At this point it might be necessary to clarify the idea of basic needs as morally intuitively urgent and prior claims, and its relationship with universally valuable non-contingent ends. To say that ‘A has a basic need for X’ (as verbal expression of a basic need claim, which implies that A cannot be without X) is the same as saying ‘A needs X (absolutely) in order to Y’, with Y being an inescapable non-contingent end without which A cannot exist, such as life, or agency. To give a simple example: ‘A has a basic need for food’ (because without food A dies), is the same as the statement ‘A needs food in order to live’. Hence, the discussion that follows now deals with the range of Ys which can be omitted in a basic need statement without taking away from the need-statement’s moral urgency and force.

6. The concept of ‘moral patient’ is used in a myriad of ways within moral philosophy. For the discussion here I will use the concept simply to denote beings who lack the basic features of human minimal agency.

7. Nothing in the writings of Wiggins, Doyal and Gough, and Brock suggests that they would disagree with this particular conception of serious harm. Therefore I will use Thomson’s definition as the standard for harm-based needs theories.

8. One could of course claim that flourishing is of existential importance for a person to lead a complete life, however, even if one thinks that flourishing is then of existential importance for the being (i.e. the person) and not just for achieving the end (i.e. leading a complete life), flourishing would still – according to our definition here – fall into the realm of the fundamental interests of persons. This is a point I will come back to in the second section.

9. It is, indeed, remarkable that interests are chronically under-defined, while needs have received a fair amount of attention. Somewhat an exception to this rule is Thomson (1987, 2005), who defines both needs and interests.

10. The idea of rational agency is another complex concept. For our discussion here it should suffice to define rational agency as the capacity of persons to form intentions, to reason independently, to act in accordance with and for reasons, to exhibit therefore reason-responsiveness, and to be able to identify with one’s actions, so as to take responsibility for one’s actions and reasons. As the scope of this paper is rather restricted, I hope this admittedly rather crude conception of rational agency, which stands in the tradition of Kantian and Hegelian thought and stresses every person’s ability to reason autonomously and act freely, will prove to be adequate. For a more in depth discussion of this line of thought, see Wood (2008), Pippin (2008), Brandom (2009) and Pettit (2001).

11. That is not to say that subjective preferences are of no importance for moral and political philosophy. In fact, perfectionist and virtue theories certainly have a lot to say about desires and preferences. However, for our account, which starts with the universal nature of basic need claims and their moral force, subjective preferences are only of secondary concern. Our theory tries to say as little as possible about particular conceptions of the good and subjective desires, as it is the shared fundamental interests of persons which are at the core of our account. I am grateful to an anonymous reviewer for encouraging me to clarify this point.

12. The question of whether freedom and autonomy are universally valuable goods is obviously a contested one. However, I follow the broadly Kantian and Hegelian reasoning that reason and practical freedom are fundamental
features of human agency, and that therefore the conditions for exercising these capacities are ethically valuable states of affairs. That is to say that a person can only be considered to be a properly successful rational agent if he/she reasons autonomously and acts freely as a socially recognized rights-bearer within a community of free and equals. For further discussions of these views and its underlying justification, see Wood (2008), Pippin (2008), Korsgaard (1996) and Kant (1996).

13. In my discussion I focus on every person’s fundamental interest in free social agency as I take it to be the most promising and most sophisticated account of fundamental interests there is. Needless to say a fundamental interest in free social agency could be subdivided, so that one argues in favour of particular instrumental interests which serve the overarching end of being a free rational agent. Moreover, it is also possible to argue for the importance of a fundamental interest in flourishing, or harm avoidance. In the interest of simplicity, though, I will limit myself to the idea of one shared fundamental interest in free social agency, as free agency seems to be of central importance for a person’s practical freedom and his/her ability to form and revise particular conceptions of the good. However, I do not want to suggest that this is the only possible conception of a fundamental interest.

14. I will further pursue this idea in the next section.

15. The reason why the failure to meet people’s basic needs cannot always be considered an injustice is due to the fact that sometimes, in very rare cases, not even the circumstances of justice are fulfilled. That is to say that one can hardly blame a person, or a society, for not meeting everybody’s basic needs if doing so is virtually impossible. On the idea of the basic circumstances of justice, which stems from Hume, see Rawls (1971, p. 126).

16. However, under extreme circumstances there can be distributional conflicts even at the level of basic need satisfaction, since it might be the case that putting a person P who is suffering from a rare illness, or a disability, above the threshold of minimal agency would cost such a high amount of resources that we would be unable to help others to reach the same level, or to guarantee the satisfaction of everybody’s fundamental interests. Alas, this is a point I cannot explore here any further.

Note on contributor
Fabian’s work has been published in journals such as Environmental Politics and Analyse & Kritik, and he is currently working on a book that uses the idea of fundamental interests for grounding a theory of social justice.

References


