CONTENTS

CONTENTS

REPRESENTING NEEDS

A new language for politics and economics

Lawrence Hamilton

Brexit and Trump will be analysed for some time to come, but one thing is already clear. They result from two failures of representation. First, political elites – political representatives, the 'establishment' – have failed to convince that they properly and effectively represent citizens' needs and interests. Second, the strong sentiment that globalisation is the main cause of the ills of advanced capitalist societies is a scapegoat made possible by inadequate representation. I suggest that at least part of the cause of these failures of representation emanates from a certain way of thinking about and judging in politics that has held sway for at least a couple of centuries: utilitarianism (subsequently overlaid with rights-based politics, about which here I say no more, but see Hamilton 2003). The remedy, I submit, is to use the language of needs and interests and what follows from this in terms of understanding political economies: a focus on representation and institutional reform.

Needs are all about us. Humans, animals, corporations, states; they all have them. Though this is not mirrored in the work of most political and economic theorists, a few notable exceptions notwithstanding: Aristotle (1980, 1988), Smith (1975, 1976), Marx (1992, 1973, 1976-8, 1996), Sen (1985a, 1985b, 1987a, 1987b, 1993),

Wiggins (1998). This is especially true of neoclassical economics, for reasons trenchantly defended by Marshall (1964).

Why? The short answer is the triumph of utilitarianism and the justification it provides for a mechanistic view of the polity and the economy, which ends up in the idea that markets can manage themselves, responding organically to preferences via the price mechanism, and the view that individual political preferences are not only sovereign but can successfully be aggregated to generate coherent decision outcomes. In other words, with a few caveats thrown in, the legacy of utilitarianism provides justification for purely preference-based economics and politics (Bentham 1970; Becker and Stigler 1977; Menger 1981; Arrow 1963; Sen 1970, 1973, 1976-7; Sen and Williams 1982).

In the real world of politics, this triumph of utilitarianism within economics has had unfortunate consequences. Utilitarianism's subject-relative approach to morality, which treats pleasure or desire-satisfaction as the sole element in human good, has provided constant support for the reduction of economics and politics to the aggregation of individual preferences (or avowed wants). This involves an understanding of human agency as equivalent to utility maximisation. In other words, utilitarianism offers justification for the evaluation of individual actions or social achievement in terms of their consequences on individual or social utility, as determined by individual preference alone. The concept of preference has therefore come to be prioritised because of its alleged epistemological importance in calculating individual welfare and the moral imperative to respect the judgement of individuals (as expressed in their preferences).

While these matters are of consequentialist reasoning—epistemology and the sovereignty of individual judgement are vital in any form of individual or social evaluation—the utilitarian framework for understanding and safeguarding them is counterproductive. In its quest for a universal 'calculus', it has excluded most of the real world that it purports to understand. Utilitarianism's prioritisation of subjective preferences excludes any systematic understanding

of how preferences have, in fact, been formed and any evaluation of how they are and ought to be transformed within, for example, existing state institutions, legal practices, welfare provision, production and consumption practices and so on (Hamilton 2003, pp. 7–8). This is exemplified in the ethical impoverishment of mainstream economics and the demise therein of both the concept of 'human needs' and objective ethical analysis. Worse are the general effects of this mechanistic calculus: a principled allergy against providing a coherent understanding of human agency and political judgement. Utilitarian 'calculus' obviates the need for understanding real judgement about central matters such as individual wellbeing, who to elect and how best to proceed. It also undermines interrogating the processes of representation, for the latter quickly seems superfluous.

By reducing human choice, judgement and wellbeing to self-interested satisfaction of desire, the prevailing utilitarian-informed models and institutions for policy formation depend on a view of the political economic world that artificially reduces human motivation to the single dimension of utility maximisation. Although economics is (or at least ought to be) concerned with real people and their actions, the reductive character of the prevailing discourse is unable to explain many actual motivations for action, most of which directly impact upon economic agency. For, in the market, and elsewhere, while real people are motivated by utility maximising self-interest, they are also driven by self-hate, habit, prudence, ethical principles, ethical ideals, altruism, manipulation, coercion and so on.

By contrast, properly conceived, the idea of human need constitutes a normatively and historically rich tool for understanding most human goods and motivations for actions as well as a practicable mechanism around which to organise policy and think about representation and its associated institutional forms. One of its advantages is that, in understanding and evaluating the institutions and practices that generate needs, it interrogates the sources of demand and avowed wants. Another is that it must also interrogate the institutions and practices through which needs are represented and judged. To see this, it is necessary, first, to grasp the nature of human needs.

Human needs are the necessary conditions and aspirations of human functioning. They have three forms: (i) vital needs, (ii) agency needs and (iii) social needs.

Vital needs are the necessary conditions for minimal human functioning, for example the need for water, shelter, adequate nutrition, mobility and social entertainment. They are 'vital needs' because their satisfaction is a necessary condition for *vita*, or life. This is more obvious with needs such as oxygen and water than for, say, adequate shelter. But the lack of satisfaction of any of these needs tends to impair healthy human functioning (Braybrooke 1987; Doyal and Gough 1991; Hamilton 2003).

Agency needs are the necessary conditions and aspirations for individual and political agency characteristic of normal human functioning. These include freedom, recognition, power and active and creative expression. They are 'agency needs' because they are means and aspirations whose development increases an agent's causal power to carry out intended actions and to satisfy and evaluate needs (Hamilton 2003; cf. Doyal and Gough 1991).

Everyday needs are not normally felt as abstract vital and agency needs, but as particular drives or goals, for example, the desire to drink apple juice or the felt need to work. Manifest in this concrete form, these are what I call social needs, and include a broad spectrum of needs which are either the focus of public policy or are seen to be of private concern. They are brought to light by bald need-claims, for example, the need for an efficient train service; by the content of public provision, for example, the need for basic income support; and by patterns of production and consumption, for example, the need for a car, as elaborated below (Hamilton 2003).

needs - wants

While it is obviously true that needs are not simply strong wants – needs are objective and normative (Wiggins 1998; Thomson 1987), they directly affect human functioning (Hamilton 2003) and "wanting something does not entail needing it, and vice versa" (Frankfurt 1998, p. 30) – the associated sharp analytical distinction between needs and wants belies a more complicated causal reality.

1. First, wants over time can become interpreted as needs. Think of

how easily the desire for refrigerators and televisions has become a legitimate need for these commodities. Second, new commodities generate new wants, which affect our ability to satisfy our needs. For example, the car produces both the desire for a car and a need for more motorways. Subsequent economic and political decisions that shift investment from the upkeep of an efficient public transportation system to the construction of more motorways ensure that, for me to be able to satisfy my need for mobility, I need a car.

2.

The three forms of needs underscore something else too. While the normativity and objectivity of needs is important, needs are not simply normative and objective. They are also historical, social and political. Their objectivity is not universal; they are also affected by wants and institutions, and they change as human nature changes. Thus, the normative force of needs is best captured via an analysis of the history of the institutional environment within which social needs were generated.

The language of needs is not an axiomatic alternative to preference-based politics and economics. The *dirigisme* of the Soviet Union exemplifies how devastating this can be on the ground (Fehér, Heller and Markus 1983), as can approaches to 'development' that assume that the determination of 'basic needs' can safely ignore preferences (Hamilton 2003: ch. 1). Needs-based, ideas, policies and institutions would be firmly focused on what best enables judgement in context (Hamilton 2009). Rather than providing universal alternatives to utility, needs provide a subtle, context-sensitive means of involving citizens more actively in the determination and satisfaction of their needs via forms of representation. This historical, institutional focus must therefore be rooted in an account of power and enabled by policies and institutions designed to avoid domination, for it is existing power relations and degrees of domination that determine citizen power.

power and domination

This is thus a proposal for an inter-subjective and genealogical evaluation of needs and institutions geared towards enhancing representation and overcoming domination. This depends on our power as citizens to identify and overcome what Foucault called 'states of domination'. Power, here, is the socially determined abilities or

capacities of agents in relations of power to identify, confront and overcome domination (Foucault 1991, 2002, Lukes 2005, Hamilton 2014b). This ability depends upon the extent to which citizens can determine and satisfy their vital and agency needs. More exactly, this capacity depends upon the prevailing political and economic institutions and the degree to which citizens find themselves in situations of domination. A situation of domination can take various forms. Existing power relations may: a) mislead me in my attempts to identify my needs, via direct coercion, intentional manipulations or fixed, traditional, non-transformed norms and practices, e.g., patriarchy; b) ensure that I do not have the voice to express my needs, e.g. life under a regime that does not grant me the power to do so, such as apartheid South Africa; c) disable meaningful evaluation of needs, e.g. unregulated liberal capitalism, even if the regime in question provides me with the formal means and freedoms (or rights) to make claims, as is the case in the UK (Hamilton 2014b; cf. Pettit 2006; Lovett 2010). The nub then is realistic citizen power, which is often – if not always – mediated by forms of representation.

representation

Political representatives today administer highly complex economies. Not everyone agrees that this is a good thing – Hayek, Thatcher, Reagan – but it remains an ever more embedded and important fact of life, especially in advanced capitalist economies. In every modern polity, therefore, there exists a prudential requirement of sustaining effective means for citizens to judge, criticise and resist constantly and effectively the prevailing principles of their society's political and economic organisation as well as the performance of their political authorities with regard to macroeconomic judgements and policies (Dunn 1990). Moreover, given the complexity and division of labour of modern states, our lives are characterised by membership of a whole variety of overlapping and interdependent groups and various forms of associated representation.[1] In the face

1. I can merely assert here that my use of 'group' does not assume that an individual's identity is determined by a single group identity (or that it is essential and unchanging); it rests on the reality that individuals normally are 'members' of various groups determined by class, interest, social perspective, gender, employment and its lack, societal role and so on.

of this reality, apostles of the 'free market' and 'radical democracy' alike retreat to inchoate ideas around organic, revitalising competition and contestation, with little or no room for state power and political representation. I will now propose a view of political representation, and a set of political institutions, that may help us avoid these dead-ends.

Political representation is normally conceived in terms either of 'mandate' or 'independence': political representatives do or ought to respond directly to the expressed opinions and interests of the citizens they represent (Dahl 1989); or, by contrast, they do or ought to act independently of these interests and judge for themselves what is in the best interests of the citizenry and state (Hobbes 1996; Burke 1999). These two main views of representation assume that all relevant needs and interests exist antecedent to the process of representation itself, and in the former case also that legitimate representation must track interests.

problems with (mandate/ independence) representations

There are four main problems with this, although I only elaborate on one here (Hamilton 2014b). Citizens' needs and interests are not pre-existing and fixed waiting to be tracked through representation. Rather, they require identification, articulation, expression, evaluation and representation. Needs and interests have a dualistic nature – they are attached and unattached, subjective and objective – and this lies at the heart of the ambiguities of any form of interest group representation (Pitkin 1967; Hamilton 2003). Moreover, individual and group interests often become present as a result of representation, that is, they are experienced, identified and expressed as a result of the actions and concerns of representatives. This is the case formally and informally:

a) political representatives actively identify and generate new interests;

b) and representation often occurs via identification, where there is no appointment of a representative. In the latter case a representative, such as a leader of cause, brings forward a claim to represent a group, evidence for which is found in their capacity to attract a following; and members of the group feel they have a presence in the actions of the representative by dint of what the representative has in common with them – causes, interests, identities or values.

characteristics of representation:

So, a different approach is needed based on the nature of needs and judgement, which remains realistic about the following four characteristics of representation. First, representation is never simply the copy of some pre-existing external reality. Representation always creates something new: Tolstoy's account of the Napoleonic War does not simply replicate the historical events, it creates a new version of them in the act of representing it. There is, therefore, always a 'gap' between an object and the representation of that object and this holds in politics too. Political representation opens up a gap between the government and the people. Second, the act of representing creates new versions of the people and their interests, and this creative process gives representation its dynamism. Political representation provides citizens with images of themselves, or partisan groupings thereof, upon which to reflect. Third, it follows that representation generates more than one version of 'the people'. This highlights an oft-forgotten central component of politics: political judgement is usually regarding partisan not general or common interests. Finally, none of the versions of the 'the people' on offer to 'the people' ought ever to succeed in closing the gap between the represented and their representatives. Even the attempt to do so is futile and dangerous. It is not the realisation of democracy but an invitation to tyranny because it thwarts any opportunity for the people to reflect on and judge their representatives; and the effect of closing the gap will be to remove the possibility for the portrayal of other competing images, visions and interests of the polity.

1. 2. 3. 4.

Representation understood in these terms enables citizens to avoid or overcome domination. How so? First, political representatives as independent of ordinary citizens are empowered to judge 'for us'. Second, citizens are likewise able to assess the judgements of their representatives, something they do best when their representatives are unambiguously separate from them and their interests. Third, if the unavoidable and necessary 'gap' is 'filled' with the following mechanisms and institutions, these additional representative institutions provide a means through which citizens can affect the judgements of their representatives aimed at keeping states of domination to a minimum.

1. 2. 3.

a) District Assemblies: i) to enable the articulation and evaluation of needs and interests, the substantive outcome of which would then be transferred by the district's counselor to the national assembly for further debate and legislation; ii) to make available to citizens full accounts of all the legislative results emanating from the national assembly; iii) to provide a forum for the presentation of amendments to existing legislation; and iv) to select counselors for the revitalised consiliar system.

b) A Revitalised Consiliar System: i) would rest on the network of district assemblies; ii) each district assembly would select one counselor for a two-year period, who would be responsible for providing counsel to the representatives in the national assembly regarding the local needs and interests of the citizenry and existing institutional configurations and their links to states of domination, that is, what changes are required to better satisfy needs and interests and diminish domination.[2]

c) Updated Tribunate of the Plebs: i) a partisan, separate and independent electoral procedure by means of which the least powerful groups or classes in society would have exclusive rights to elect at least one quarter of representatives for the national assembly, alongside the normal, open party-dominated processes of electing representatives. Membership of this electoral body would be determined either by a net household worth ceiling or associated measures, enabling those with the least economic power in any polity to select representatives who would be empowered to propose and repeal (or veto) legislation (McCormick 2011, Hamilton 2014b).

I also propose a form of constitutional revision based on arguments for the fallibility of reason, and antityranny, that is, that it is necessary to shield present and future generations from the unchecked power of past generations, but this is not necessary in the context of the UK, which is uniquely free of the problems of a formal constitution. Notwithstanding, procedural safeguards are

2. For more on district assemblies and an explanation of my adoption of the term and institution of 'counselor' from Ancient Rome (as opposed to the more normal modern English term and institution of 'councillor'), see Hamilton (2009, 2014b).

vital for the sustainability of these institutional recommendations. Procedural priority would need to be secured to satisfy vital needs and to safeguard counselors and institutions from manipulation and corruption.

REFERENCES

Aristotle (1980), *The Nicomachean Ethics*, trans. and intro. D. Ross, Oxford: Oxford University Press.

Aristotle (1988), *The Politics*, ed. S. Everson, Cambridge, UK: Cambridge University Press.

Arrow, K.J. (1963), *Social Choice and Individual Values*, 2nd ed. (1952), New Haven: Yale University Press.

Becker, G.S. and G.J. Stigler. (1977), 'De gustibus non est disputandum', *American Economic Review*, 67 (2): 76–90.

Bentham, J. (1970 [1781]), *Introduction to the Principles of Morals and Legislation*, London: Athlone.

Braybrooke, D. (1987), *Meeting Needs*, Princeton, NJ: Princeton University Press.

Burke, E. (1999), 'Speech to the Electors of Bristol', in *Select Works of Edmund Burke, 4 vols*., Indianapolis: Liberty Fund.

Dahl, R. (1989), *Democracy and its Critics*, New Haven: Yale University Press.

Doyal, L. and I. Gough (1991), *A Theory of Human Need*, London: Macmillan.

Dunn, J. (1990), 'Liberty as a Substantive Political Value' in *Interpreting Political Responsibility,* Cambridge: Polity, pp. 61-84.

Fehér, F., A. Heller and G. Markus (1983), *The Dictatorship Over Needs*, Oxford: Basil Blackwell.

Foucault, M. (1991), *Discipline and Punish,* New York: Penguin.

Foucault, M. (2002), *Power*, London: Penguin.

Frankfurt, H. (1998), 'Necessity and desire', in: G. Brock (ed.), *Necessary Goods: Our Responsibilities to Meet Others' Needs*, Oxford: Rowman and Littlefield.

Hamilton, L. (2003), *The Political Philosophy of Needs*, Cambridge, UK: Cambridge University Press.

Hamilton, L. (2009), 'Human Needs and Political Judgment', in *New Waves in Political Philosophy* ed. C. Zurn and B. de Bruin, London: Palgrave, pp. 40-62.

Hamilton, L. (2014a), *Are South Africans Free,* London: Bloomsbury.
Hamilton, L. (2014b), *Freedom is Power: Liberty Through Political Representation*. Cambridge: Cambridge University Press.
Hobbes, T. (1996), *Leviathan*, ed. R. Tuck, Cambridge: Cambridge University Press.
Lukes, S. 2005. *Power: A Radical View*, 2nd ed. New York: Palgrave.
Marshall, A. (1964 [1920]), *Principles of Economics*, (8th edn), London: Macmillan.
Marx, K. (1992 [1932]), 'Economic and philosophic manuscripts', in: L. Colletti (ed.), *Karl Marx: Early Writings*, London: Penguin.
Marx, K. (1973 [1939-41]), *Grundrisse*, trans. M. Nicolaus, Harmondsworth: Penguin.
Marx, K. (1967-8 [1867]) *Capital*, 3 vols, intro. by E. Mandel, trans. D. Fernbach, Harmondsworth: Penguin.
Marx, K. (1996 [1890-1]), 'Critique of the Gotha programme', in: T. Carver (ed.), *Marx: Later Political Writings*, Cambridge, UK: Cambridge University Press.
McCormick, J. P. (2011), *Machiavellian Democracy*, Cambridge: Cambridge University Press.
Menger, C. (1981 [1871]), *Principles of Economics*, trans. J. Dingwall and B.F. Hoselitz, New York: New York University Press.
Pitkin, H. (1967), *The Concept of Representation,* Berkeley: University of California Press.
Sen, A.K. (1970), *Collective Choice and Social Welfare*, San Francisco: Holden-Day.
Sen, A.K. (1973), 'Behaviour and the concept of preference', *Economica*, 40 (159): 241-59.
Sen, A.K. (1976-7), 'Rational fools: A critique of the behavioral foundations of economic theory', *Philosophy and Public Affairs*, 6: 317-44.
Sen, A.K. (1985a), 'Well-being, agency and freedom: The Dewey lectures 1984', *The Journal of Philosophy*, 82 (4): 169-221.
Sen, A.K. (1985b), *Commodities and Capabilities*, Amsterdam and Oxford: North-Holland.
Sen, A.K. (1987a [1979]) 'The equality of what', in: S.M. McMurrin (ed.) (1987), *Liberty, Equality and Law*, Cambridge, UK: Cambridge University Press.
Sen, A.K. (1987b), *On Ethics and Economics*, Oxford: Basil Blackwell.
Sen, A.K. (1993), 'Capability and well-being', in M.C. Nussbaum and A.K. Sen, *The Quality of Life*, Oxford: Clarendon Press.
Sen, A.K. and B. Williams (1982), *Utilitarianism and Beyond,* Cambridge: Cambridge University Press.

Smith, A. (1975 [1776]) *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols, reprinted in: R.H. Campbell, A.S. Skinner and W.B. Todd (eds), Oxford: Clarendon Press.
Smith, A. (1976 [1790]) *The Theory of Moral Sentiments*, reprinted in D.D. Raphael and A.A. Mackie (eds), Oxford: Clarendon Press.
Thomson, G. (1987), *Needs*, London and New York, NY: Routledge.
Wiggins, D. (1998), *Needs, Values, Truth*, Oxford: Clarendon.