

## Necessity in obligation

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I would like to discuss the meaning of necessity as it appears in some significant understandings of obligation. So:

Justinian: "An obligation is a bond of law, by which we are tied down to the necessity of making some performance, according to the laws of our state." (*Obligatio est iuris vinculum quo necessitate adstringimur alicuius solvendae rei, secundum nostrae civitatis iura*)

Kant: 'the objective necessity of an action from obligation is called duty'. Or, in MM (48): 'Obligation is the necessity of a free action under a categorical imperative of reason.'

Camus: Nietzsche's 'most intimate concept: that the necessity of phenomena, if it is absolute, does not imply any kind of restraint. Total acceptance of total necessity is [Nietzsche's] paradoxical definition of freedom.' (*The Rebel*)

Aeschylus: when Agamemnon sacrifices his daughter to save the fleet he 'put on the harness of necessity' (see B Williams, *Shame and Necessity*, ch 6)

In any or each of these, questions arise as to how to comprehend the meaning of necessity. For example, is necessity merely a contingent relation (or claim) deployed as if it were otherwise (ie not contingent)? What is at stake in addressing this latter question? Arguably it is around this contested relation - contingency  $\equiv$  necessity - that a whole politics of constraints-in (or on)-action exists. (For example, a politics of 'false necessity' confronts that of 'constitutive incommensurability' in the matter of 'really existing fictitious commodities' (labour, land, money).) And whether there is

any necessity in obligation is arguably the core question of normativity itself: no (obligatory) necessity, no ought; and no ought, no compulsion (to do this or that, good or ill) except factual power (obedience).