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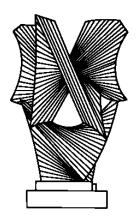
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# CHICAGO

#### PUBLIC LAW AND LEGAL THEORY WORKING PAPER NO. 270



# NIETZSCHE'S PHILOSOPHY OF ACTION

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#### **NIETZSCHE**

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Nietzsche holds that people lack freedom of the will in any sense that would be sufficient for ascriptions of moral responsibility; that the conscious experience we have of willing is actually epiphenomenal with respect to the actions that follow that experience; and that our actions largely arise through non-conscious processes (psychological and physiological) of which we are only dimly aware, and over which we exercise little or no conscious control. At the same time, Nietzsche, always a master of rhetoric, engages in a "persuasive definition" (Stevenson 1938) of the language of "freedom" and "free will," to associate the positive valence of these terms with a certain Nietzschean ideal of the person unrelated to traditional notions of free will.

## **Denial of Free Will and Moral Responsibility**

Nietzsche's skepticism about freedom and responsibility is a pervasive theme throughout his corpus. In a relatively early work, *Daybreak*, he writes:

Do I have to add that the wise Oedipus was right that we really are not responsible for our dreams—but just as little for our waking life, and that the doctrine of freedom of will has human pride and feeling of power for its father and mothers? (D 128)

Belief in freedom of the will is to be explained by the motivations we have for accepting it, not by its reality: we are as little responsible for what we do in real life as what we do in our dreams. The same idea is sounded in one of his very last works:

Formerly man was given a 'free will' as his dowry from a higher order: today we have taken his will away altogether, in the sense that we no longer admit the will as a faculty. The old word 'will' now serves only to denote a resultant, a kind of individual reaction,

which follows necessarily upon a number of partly contradictory, partly harmonious stimuli: the will no longer 'acts' or 'moves'. (A 14)

Denial of the causality of what we experience as "the will" is central to Nietzsche's skepticism about free will and moral responsibility. If the faculty of the will "no longer 'acts' or 'moves'" (A 14)—if it is no longer causal—then there remains no conceptual space for even the compatabilist idea that the right kind of causal determination of the will is compatible with responsibility for our actions. (There is also no need for the idea of "unfree will": since the will is epiphenomenal, its freedom or causal determination is irrelevant.) If, as Zarathustra puts it, "thought is one thing, the deed is another, and the image of the deed still another: the wheel of causality does not roll between them" (Z I, "On the Pale Criminal"; cf D 124 for the same point), then there is no room for moral responsibility: I may well identify with my "thoughts" or my will, but if they do not *cause* my actions, how could I possibly be responsible for them?

In the central discussion of free will and responsibility in the *Genealogy*, Nietzsche writes:

For just as common people separate the lightning from its flash and take the latter as a *doing*, as an effect of a subject called lightening, so popular morality also separates strength from the expressions of strength as if there were behind the strong an indifferent substratum that is free to express strength—or not to. But there is no such substratum....[T]he suppressed, hiddenly glowing affects of revenge and hate exploit this belief [in the subject] and basically even uphold no other belief more ardently than this one, that *the strong is free* to be weak, and the bird of prey to be a lamb:--they thereby gain for themselves the right to hold the bird of prey *accountable* (GM I:13)

The "will" that was denied as a faculty in the other passages is now here dubbed a "substratum" that stands behind the act and chooses to perform it, or not. But there is no such faculty choosing to manifest strength or weakness: there just is the *doing*, no doer who bears the responsibility for it. The discussion of "The Four Great Errors" in *The Twilight of the Idols* is to the same effect. As he concludes there,

Today we no longer have any pity for the concept of 'free will': we know only too well what it really is—the foulest of all theologians' artifices, aimed at making mankind "responsible" in their sense....[T]he doctrine of the will has been invented essentially for the purpose of punishment, that is, because one wanted to impute guilt. (7)

Once again, denial that the will is a causal faculty is juxtaposed with a psychological explanation for why people would nonetheless be motivated to believe in freedom and responsibility. Once we abandon this "error of free will," in turn, we should abandon the reactive concepts whose intelligibility depends on it, concepts like "guilt." Zarathustra well describes the required revision to our thinking about freedom and responsibility that results: "Enemy' you shall say, but not 'villain'; 'sick' you shall say, but not 'scoundrel'; 'fool' you shall say, but not 'sinner'" (Z I: "On the Pale Criminal"). The abandoned concepts—that of villain, scoundrel, and sinner—are all ones that require freedom and responsibility that would license blame, while the substitute concepts (enemy, sick, and fool) merely describe a person's condition or status, without supposing anything about the agent's responsibility for being in that condition.

## **Against the Causality of the Will**

Nietzsche offers two arguments against the causality of the will—or, more precisely, against the causal efficacy of what we *experience* as willing. We may call one the Phenomenology of Thoughts argument, the other the Doctrine of Types argument (cf. Leiter 2007).

Nietzsche observes that "the feeling of will suffices for" a person "to assume cause and effect" (GS 127), but Nietzsche claims that this feeling misleads us: the phenomenology of "willing" an action, the experience we have which leads us (causally) to conceive of ourselves as exercising our will (to say "I will"), is not causally connected to the resulting action in a way that would underwrite ascriptions of moral responsibility. His central account (BGE 19) breaks the experience of willing into three components: the feelings or experiences associated with bodily movement (hereafter "the bodily qualia"); the "commandeering thought" whose propositional content (and temporal priority) seems to connect it with the bodily movements; and the meta-feeling of power or pleasure that emerges from conscious identification with the commandeering thought (which explains why we identify with the thought, rather than with the bodily movement). We feel as though we are exercising free will when we identify with the commandeering thought (e.g., "I want to get up") which we feel is superior to, and being obeyed by, the bodily qualia (the feelings of the body moving as we get up); and we so identify because of the feelings of pleasure and power that arise from what Nietzsche calls the "affect of superiority" that flows from that identification. That this experience is misleading as to the causation of action—at least if that causation is to underwrite moral responsibility—follows from another bit of phenomenology, namely that, "a thought comes when 'it' wants, and not when 'I' want" (BGE 17). From the fact that there is thinking, it does not follow that I, i.e., some subject or agent, is doing the thinking, and so it does not follow that I exist. Although the explicit target in this particular passage is the Cartesian "I," the surrounding context makes clear the real target, namely, the will.

What does it mean to say a thought comes when "it" wants, not when "I" want? Nietzsche's point is that our "thoughts" appear in consciousness, without our having willed them. Of course,

Nietzsche is engaged in an attack on the existence of will, so he can't believe that there is any sense in which I could genuinely will a thought into existence. Yet he cannot presuppose that conclusion here without begging the question. Thus, we must take the talk of willing here to refer to the *experience of willing*, which Nietzsche concedes is real enough.

Nietzsche's phenomenological point then comes to this: a "thought" that appears in consciousness is *not* preceded by the *phenomenology of willing* that Nietzsche has described, that is, there is no "commandeering thought" preceding the conscious thought to which the meta-feeling (the affect of superiority) attaches. (Even if there were such a commandeering thought in some instance, this would just create a regress, since not every commandeering thought will be preceded by the experience of willing.) Since we do not *experience* our thoughts as willed the way we experience some actions as willed, it follows that no thought comes when "I will it" because the experience to which the "I will" attaches is absent.

Nietzsche cleverly points out that the criterion of willing that agents themselves treat as reliable guides to a causal relationship—namely, the phenomenology described above—is, in fact, completely absent in the case of thoughts (or, at least, in the case of the thought that starts an inferential chain of thinking which involves the experience of willing). As an introspective matter, it seems Nietzsche is plainly correct about this point. But if we do not experience our thoughts as willed, then it follows that the actions that follow upon our experience of willing (which includes those thoughts) are not caused in a way sufficient to underwrite ascriptions of moral responsibility, unless Nietzsche were a compatibilist—which, we have already seen, he is not.

The Phenomenology of Thoughts argument is not, however, the only consideration influencing Nietzsche's skepticism about free will and moral responsibility. Influenced, in part, by Schopenhauer's views about the immutability of character and developments in nineteenth-century physiology,

especially as popularized by the so-called "German Materialists" of the 1850s and 60s, Nietzsche holds that persons are constituted by certain largely immutable psychological and physiological characteristics (call them "type-facts") that play a decisive role in explaining much of their behavior and their moral beliefs. Thus, Nietzsche accepts what we may call a "Doctrine of Types" (Leiter 1998), according to which,

Each person has a fixed psycho-physical constitution, which defines him as a particular *type* of person.

Thus, Nietzsche claims, the "morality" that a philosopher embraces simply bears "decisive witness to who he is," that is, to the "innermost drives of his nature" (BGE 6). He explains that "[M]oralities are...merely a sign language of the affects" (BGE 187), and observes elsewhere that, "Answers to the questions about the value of existence...may always be considered first of all as the symptoms of certain bodies" (GS P:2). "[O]ur moral judgments and evaluations...are only images and fantasies based on a physiological process unknown to us" (D 119), so that "it is always necessary to draw forth...the physiological phenomenon behind the moral predispositions and prejudices" (D 542). A "morality of sympathy," he claims is "just another expression of ... physiological overexcitability" (TI IX:37). Nietzsche sums up the idea well in the preface to the *Genealogy*: "our thoughts, values, every 'yes,' 'no,' 'if' and 'but' grow from us with the same inevitability as fruits borne on the tree — all related and each with an affinity to each, and evidence of one will, one health, one earth, one sun" (GM Pref:2).

The Doctrine of Types is central to Nietzsche's second argument against the causality of the will in "The Four Great Errors" chapter of *Twilight of the Idols*. The first error "of confusing cause and effect," can be summarized as follows: given two regularly correlated effects E1 and E2 and their mutual "deep cause," we confuse cause and effect when we construe E1 as the cause of E2, missing altogether the existence of the deep cause. We may call this error "Cornarism" after the example Nietzsche uses:

Everybody knows the book of the famous Cornaro in which he recommends his slender diet as a recipe for a long and happy life...The worthy Italian thought his diet was the *cause* of his long life, whereas the precondition for a long life, the extraordinary slowness of his metabolism, the consumption of so little, was the cause of his slender diet. He was not free to eat little *or* much; his frugality was not a matter of "free will": he became sick when he ate more. (TI VI: 1)

What explains Cornaro's slender diet *and* his long life is the same underlying fact about his metabolism.

Cornaro's mistake was to prescribe his diet for all without regard for how individuals differed metabolically, metabolism being the relevant type-fact in this context.

Nietzsche saddles morality and religion quite generally with Cornarism. According to Nietzsche, the basic "formula on which every religion and morality is founded is: 'Do this and that, refrain from that and that—then you will be happy! Otherwise...." Cornaro recommended a slender diet for a long life; morality and religion prescribe and proscribe certain conduct for a happy life. But, says Nietzsche,

[A] well-turned out human being...*must* perform certain actions and shrinks instinctively from other actions; he carries the order, which he represents physiologically, into his relations with other human beings and things.

So morality and religion are guilty of Cornarism: the conduct they prescribe and proscribe in order to cause a "happy life" are, in fact, effects of something else, namely the physiological order represented by a particular agent, one who (as Nietzsche says) "must perform certain actions," just as Cornaro must eat a slender diet (he is "not free to eat little or much"). That one performs certain actions and that one has a happy life are themselves both effects of the physiological order—conclusions that follow if we grant Nietzsche the Doctrine of Types.

That brings us to the next central "error," that of "false causality," the mistake of thinking we know what causation is because of our introspective confidence in what we take to be the causal powers of our own mental life. Nietzsche explains:

We believed ourselves to be causal in the act of willing...Nor did one doubt that all the antecedents of an act, its causes, were to be sought in consciousness and would be found there once sought—as "motives": else one would not have been free and responsible for it. Finally, who would have denied that a thought is caused? That the "I" causes the thought? (TI VI:3)

The Phenomenology of Thoughts argument licenses precisely such a denial, and Nietzsche soon makes clear that his view remains unchanged:

The "inner world" is full of phantoms...: the will is one of them. The will no longer moves anything, hence does not explain anything either--it merely accompanies events; it can also be absent. The so-called *motive*: another error. Merely a surface phenomenon of consciousness--something alongside the deed that is more likely to cover up the antecedents of the deeds than to represent them.....What follows from this? There are no [conscious] mental causes at all. (TI VI:3)

Skepticism about the causal efficacy of conscious motives is a recurring theme. As he writes in *Daybreak*, "we are accustomed to exclude all [the] unconscious [*unbewusst*] processes from the accounting and to reflect on the preparation for an act only to the extent that it is conscious" (D 129), a view which Nietzsche deems mistaken. Indeed, the theme of the "ridiculous overestimation and misunderstanding of consciousness" (GS 11) is a recurring one: "[B]y far the greatest part of our spirit's activity," says Nietzsche, "remains unconscious and unfelt" (GS 333). To be sure, there is a somewhat suspect overreaching in these passages: are we to believe that no conscious belief is part of the causal explanation of *any* action? Nietzsche does not need to defend this radical thesis, for what he is

interested in debunking is the causal nexus between the conscious experience of will and actions of moral significance, that is, the actions for which moral praise and blame might be ascribed.

If morally significant actions and the conscious mental states that precede them are themselves the product of type-facts (per the Doctrine of Types), then it follows that *the conscious mental states* that precede the action and whose propositional contents would make them appear to be causally connected to the action are, in fact, epiphenomenal, either as *tokens* or as *types*: that is, they are either causally inert with respect to the action *or* causally effective *only in virtue of* other type-facts about the person.

How does it follow from these errors about causation that "free will" is also an error? The error of confusing cause and effect is a *general* error that afflicts morality because morality is based on a mistaken picture of agency: we think that certain moral prescriptions will bring about certain consequences for those who follow them, yet the ability and disposition to act on the prescriptions, and the enjoyment of the consequences are possible only for certain *types* of persons. An exercise of free will plays no role.

The error of false causality is an error because we wrongly infer that we know what causation is from our *experience* of the will being causal; but the will is not, in fact, causal, which follows from the Doctrine of Types. But, on any account of free will and moral responsibility, the will must be causal (even if not *causa sui*), in order for agents to have free will and be morally responsible for their actions. Therefore, if the error of false causality is a genuine error, then it follows that there is no free will. Only this second error implicates the phenomenology of willing, since it claims that we are in error in thinking we know what causation is based on our *experience* of the will. And the argument says we are in error here because our experience of the will misleads us as to the causal powers of the will: "there are no mental causes at all."

#### The Genesis of Action

If the *experience* of willing does not, according to Nietzsche, illuminate how actions are brought about, what, then, *really* explains our actions? Nietzsche's account has a startling resonance with recent work in empirical psychology. Daniel Wegner (2002), for example, wants to establish Nietzsche's claim, namely, that the phenomenology of willing systematically misleads us as to the causation of our actions, drawing in part on Libet's work on the brain electrical activity preceding the experience of willing (Wegn34 2002: 50-55). And in the place of the "illusion of conscious will" as Wegner calls it, he proposes a different model according to which the experience of willing and action are products of unconscious causes, yet the chain of causation does not run between the experience of willing and the action; rather, in Nietzschean terms, some type-fact about persons explains both the experience *and* the action (Wegner 2002: 68, 98).

This whole discussion resonates with Nietzsche's detailed remarks in his famed discussion of "self-mastery" (D 109). Nietzsche is here concerned to answer the question as to the "ultimate motive" for "self-mastery." He explains it as follows:

[T]hat one wants to combat the vehemence of a drive at all...does not stand within our own power; nor does the choice of any particular method; nor does the success or failure of this method. What is clearly the case is that in this entire procedure our intellect is only the blind instrument of another drive, which is a rival of the drive whose vehemence is tormenting us.....While "we" believe we are complaining about the vehemence of a drive, at bottom it is one drive which is complaining about the other; that is to say: for us to become aware that we are suffering from the vehemence of a drive presupposes the existence of another equally vehement or even more vehement drive, and that a struggle is in prospect in which our intellect is going to have to take sides.

Although the intellect can "take sides" (*Partei nehmen*) this does not mean that the intellect determines which side prevails: to the contrary, the intellect is a mere spectator upon the struggle. Thus, the fact

that one masters oneself is *not* a product of "free will," but rather an effect of the underlying type-facts characteristic of that person: namely, which of his various drives happens to be strongest. There is, as it were, no no conscious "self" who contributes anything to "self-master," which is merely an effect of the interplay of certain unconscious drives, drives over which the conscious self exercises no control. A "person" is an arena in which the struggle of drives (type - facts) is played out; how they play out determines what he believes, what he values, what he becomes. But, *qua* conscious self or "agent", the person takes no active part in the process. As Nietzsche puts it elsewhere: "The will to overcome an affect is, in the end, itself only the will of another, or several other, affects" (BGE 117). The will, in other words, or the experience of willing (in self-mastery), is itself the product of various unconscious drives or affects.

#### A "Persuasive (Re)Definition" of Free Will

Recent commentators (e.g., Gemes 2009 and Poellner 2009) have been impressed by

Nietzsche's occasional positive use of the language of "freedom" and "free will." Nietzsche's usages,
however, are naturally assimilated to what Stevenson (1938) dubbed "persuasive definitions": attempts
to revise the meaning of a term to which a positive valence already attaches. The passages at issue are
few and far between (cf. GS 347; GM II:2; GM III:10; TI IX:38), some are ironic (e.g.,
the slightly ludicrous figure of the *souverain Individuum* of GM II:2—who never appears again in the
corpus—is described as the product of good animal breeding who is "free" (in quotes) because he can
make promises and remember that he made them!), and some present, as Poellner puts it, a
"substantive ideal" of the self (2009: 152) unconnected to any recognizable philosophical claim about
freedom. Nietzsche certainly celebrates the "higher type" of person who has a certain pattern of
coherent drives, but this is a fortuitous natural fact about certain persons, not an achievement of
autonomous agency.

Typical of Nietzche's persuasive definitions of freedom is this passage:

[W]ar educates for freedom. For what is freedom? That one has the will to assume responsibility for oneself. That one maintains the distance which separates us. That one becomes more indifferent to difficulties, hardships, privation, even to life itself. That one is prepared to sacrifice human beings for one's cause, not excluding oneself. Freedom means that the manly instincts which delight in war and victory dominate over other instincts, for example, over those of 'happiness.' The human being who has *become free*—and much more the *spirit* who has become free—spits on the contemptible type of well-being dreamed of by shopkeepers, Christians, cows, females, Englishmen, and other democrats. The free man is a *warrior*.

This bracing statement of a "noble" ideal of the person equally plainly has nothing to do with any notion of freedom, free will, or moral responsibility that has engaged any philosopher in the entire tradition of Western philosophy. That should not surprise, since Nietzsche's aims are polemical and rhetorical: a persuasive definition of a concept like freedom, which enjoys such authority in Western culture, is one way to cause an affective response in some readers, which might lead to a transformation of their consciousness. But such a transformation is, itself, a causal process in which free choice is irrelevant, but evaluative, i.e., emotional, excitation is key (Leiter 2002: 91-101, 157-158).

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Nietzsche's works are cited by acronym as follows: *The Antichrist* (A), *Beyond Good and Evil* (BGE), *Daybreak* (D), *The Gay Science* (GS), *On the Genealogy of Morality* (GM), *Thus Spoke Zarathustra* (Z), *Twilight of the Idols* (TI). Roman numerals refer to chapters or major divisions, Arabic numerals to sections within the former. I have usually followed major translations (by Clark & Swensen, Hollingdale, and Kaufmann), with some of my own modifications based on G. Colli & M. Montinari (eds.), *Sämtliche Werke: Kritische Studienausgable in 15 Bänden* (Berlin: de Gruyter, 1980).

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