Nietzsche on Justice

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It makes no difference what men think of war, said the judge. War endures.
As well ask men what they think of stone.
— Cormac McCarthy, Blood Meridian.

Moral anti-realism is the view that our judgments about what is right and what is wrong are not *truth-apt,* in that they are neither true nor false, not corresponding to any part of objective reality. While non-moral judgments—that the earth is round or that it is flat for instance— are plausibly made true or false by something *out there*, independent of our thought, the moral anti-realist holds that moral judgments—that murder is wrong, for example—merely reflect a cultural practice or even personal preference, like the practice of driving on the right side of the road or one's favorite ice cream flavor.

The relativistic sort of thinking used by moral anti-realists is often derided as sophomoric, belonging to teenagers somehow both cynical and naive. But there is a respectable philosopher of modern times who did much to support moral anti-realism, J. L. Mackie. His most influential argument, the "argument from relativity," is often portrayed as appealing to widespread disagreement about morality: if there were such a thing as objective moral reality, then how could there be so much disagreement about which moral principles are correct? But Mackie recognizes that there is more or less dispute about almost any subject matter—the earth's shape, for instance—and that there is much agreement about morality—how many people genuinely believe that murdering someone, completely innocent, in cold blood, is permissible? So a crucial part of Mackie's argument concerns the *reason for* moral disagreement. Mackie writes,

> …it is not the mere occurrence of disagreements that tells against the objectivity of values. Disagreement on questions in history or biology or cosmology does not show that there are no objective issues in these fields for investigators to disagree about. But such scientific disagreement results from speculative inferences or explanatory hypotheses based on inadequate evidence, and it is hardly plausible to interpret moral disagreement in the same way. Disagreement about moral codes

> seems to reflect people's adherence to and participation in different ways of life. *The causal connection seems to be mainly that way around: it is that people approve of monogamy because they participate in a monogamous way of life rather than that they participate in a monogamous way of life because they approve of monogamy.*[1]

The suggestion here is that our moral beliefs are not formed by rational inquiry into the way things are—as for instance when Copernicus and Galileo established that the sun not the earth was at the center of our solar system—but that they are instead *post hoc* rationalizations: explanations made *after the fact* to justify one's pre-established way of life.

An immediate puzzle this suggestion raises is as follows. Suppose it is true that the reason we believe monogamy to be moral (and polygamy to be immoral) is that we happen to practice monogamy. *Then what is the reason we practice monogamy?* A natural answer is that we practice monogamy because we believe it is right. Yet that cannot be the answer, given the supposition, on pain of circularity. *So what is the reason?*

Mackie ought to answer that people participate in a given collective form of life in virtue of the operation of social and anthropological forces, where those forces are part of the natural order of the world. That is, we should picture ourselves as creatures pushed around by external forces, where some of the forces are captured by distinctively sociological or anthropological laws, though those forces are not for that reason any less cold and naturalistic than the ones described by the laws of physics. We then rationalize our behavior to ourselves in terms of moral beliefs after the fact. But those moral beliefs are causally inert, or *epiphenomenal*.

In this paper, I develop this line of thinking by working through a discussion of justice given by Friedrich Nietzsche—perhaps the most notorious alleged moral anti-realist—in the second essay of his *On the Genealogy of Morals*.[2] My aim though is not to defend moral anti-realism but simply to exposit the subtle and sophisticated way in which one philosopher thought about how individuals relate to the social reality they find themselves in, as well as how that social reality shapes them.

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[1] J. L. Mackie, *Ethics: Inventing Right and Wrong* (England: Penguin Books, 1990), page 36. Emphasis added.

[2] I rely on Walter Kaufmann's translation of the German: Friedrich Nietzsche, *On the Genealogy of Morals and Ecce Homo*, trans. Walter Kaufmann (New York: Random House inc., 1989).

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Nietzsche's *Genealogy* is divided into three essays, each made up of short sections in his signature aphoristic style. Much of the first essay is devoted to what could be called a "conspiratorial" account of the development of modern morality. While Nietzsche explicitly distances himself from the anti-semites of his day—at times mocking them[3]—some of the ideas in the first essay nonetheless play into anti-semitic tropes about Jewish people as an influential group who intentionally brought about a decline in western society by, as Nietzsche suggests, espousing a "slave" morality that values weakness.

In the second essay, he gives a different account of the development of modern morality. This second story he tells is not conspiratorial; it does not essentially appeal to secret schemes. The account of the second essay could instead be called "sociological," as it appeals to naturalistic laws governing the development of human society.

Let's first elucidate what Nietzsche is attempting to explain in the second essay regarding the development of modern morality. He talks in particular about the origin of our "bad conscience." One aspect of this bad conscience, in his view, concerns when we judge that others have done wrong. Suppose another has committed a criminal act and is on trial, and the judge hands out a well-reasoned punishment. We do not merely think that this course of events—the accused serving a certain amount of time in prison, for instance—is simply a part of how things naturally go. We are inclined to think that there is a deeper moral order at work, that it is "right" in some moral sense that the accused serve their time. So here's the first question regarding our bad conscience: why do we feel that others, perhaps even ourselves, ever *deserve* punishment?

Another aspect of our bad conscience is that, when we judge that we have done something wrong, we do not make that judgment in a dispassionate way. One could even dispassionately attempt to repair the harm done, and resolve to act differently in the future. We are in addition beset by feelings of guilt and shame: raw and painful affects. So here's the second question

[3] For instance, in section 11 of the first essay he writes, "between the old Germanic tribes and us Germans there exists hardly a conceptual relationship, let alone one of blood," clearing intending to dismiss the common white supremacist nostalgia for the culture of the ancient, pre-christian tribes of central Europe. And another example: in section 16 of that same essay he suggests that, if one had to rank the various peoples of the world, the Jewish people would appear at the top of the list and Germans at the bottom.

regarding our bad conscience: why do we *feel* guilt when we judge ourselves to have done something wrong?

By answering these two questions on behalf of Nietzsche, we will thereby appreciate his thoughts about how individuals relate to the social reality they find themselves in, as well as how that reality shapes them. In order to understand Nietzsche's answers to the questions, we first must understand his thoughts on the origin of justice.

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I begin by introducing a morbid sort of "social order" that Nietzsche thought to exist in the past. He writes,

> To inspire trust in his promise to repay […] the debtor made a contract with the creditor and pledged that if he should fail to repay he would substitute something else that he "possessed," something he had control over; for example, his body, his wife, his freedom or even his life […] Above all, however, the creditor could inflict every kind of indignity and torture upon the body of the debtor; for example, cut from it as much as seemed commensurate with the size of the debt —and everywhere and from early times one had exact evaluations, *legal* evaluations, of the individual limbs and parts of the body from this point of view, some of them going into horrible and minute detail.[4]

Setting aside for now the gruesome details, what Nietzsche is getting at here is that, in early societies where only some rule of law has been established, there remains the imprint of an even older form of social order in which each individual is permitted, even expected, to exact their own revenge against those who have harmed them.

Suppose your errant brother is having an affair with a married woman. Her husband finds out and in a jealous rage murders your brother. According to the older social order, you would be permitted and even expected to track down the husband and visit upon him the same fate. Moreover, not responding in kind might damage others' opinion of you and your family: as ones not willing to stand up for yourselves, you may be harmed or exploited further.

[4] Nietzsche, *On the Genealogy of Morals*, second essay, section 5.

If the above intrigue were to transpire nowadays, in most parts of the world where the rule of law is firmly established, you would be in serious trouble if you were to exact revenge upon your brother's killer. Additionally, the pressure you would feel to seek revenge would be alleviated, to a hopefully tolerable extent, by the central authority with a monopoly on violence that has taken charge of distributing punishment. Yet it must be emphasized that, just as an impression of the ancient "tit-for-tat" system of punishment existed in early legal codes reigning in creditors, that ancient system's long shadow extends to the present day. In medieval Iceland, for instance, there were laws and courts that would determine whether someone was guilty of murder, yet there was no particular body charged with executing the law. So the brother of someone murdered could be given legal permission to kill the murderer.[5] For a modern example, it has been argued that there exists an "honor culture" in the southern states of the USA, according to which an individual's reputation—in particular, an one's willingness to defend oneself—has more importance placed on it than in the northern states.[6]

So an important observation Nietzsche makes in the second essay of his *Genealogy* is that societies "evolve" in such a way that the punishment for misdeeds becomes increasingly deferred to a central authority, through a process of considerable complexity and ruggedness. This process is precisely what Nietzsche takes to be the establishment of justice.

Here's another long quote from Nietzsche, this time for detail regarding the origin of justice.

> From a historical point of view, law represents on earth […] the struggle against the reactive feelings, the war conducted against them on the part of the active and aggressive powers who employed some of their strength to impose measure and bounds upon the excesses of the reactive pathos and to compel it to come to terms. […] The most decisive act […] that the supreme power performs and accomplishes against the predominance of grudges and rancor […] is the institution of *law*, the imperative declaration of what in general counts as permitted, as just, in its eyes, and what counts as forbidden, as unjust: once it has

[5] Gunnar Karlsson, *Iceland's 1100 Years: the history of a marginal society* (UK: C. Hurst & Co. Ltd., 2020), chapter 3.

[6] Richard E. Nisbett and Dov Cohen, *Culture of Honor: the psychology of violence in the south* (Boulder, Colorado: Westview, 1996).

> instituted the law, it treats violence and capricious acts on the part of individuals or entire groups as offenses against the law, as rebellion against the supreme power itself…[7]

Here Nietzsche talks of "active and aggressive powers" and "the supreme power" as being the forces that constructs civil order within a throng of individuals, living in small communities attempting to resolve disputes in an impromptu fashion. So this passage might lead one to believe that Nietzsche's account of the establishment of justice is in fact conspiratorial. But I argue that it is *sociological*.

It is certainly the case that there existed in history individuals who had a great influence on the development of centralized authority. One especially interesting and case is Deioces, a king of the iron age in the region of what is now Iran, when that region was very early along the path towards the various tribes therein being brought under the sprawling yet singular authority of the Persians.

As Herodotus—an ancient Greek historian, known as both the father of history and the father of lies—tells the story,[8] Deioces began his rise to power by acting as an arbiter in resolving conflicts that arose between individuals in the scattered villages of his tribe. His reputation as a fair-minded arbiter grew steadily until he stopped offering his services completely. His kinfolk missed his services so much that they pledged to submit themselves to a king, and chose Deioces to take up that role. He was even able to make demands, taking up the kingship only on the condition that he be built a massive palace.

So the influence of certain strong-willed aggrandisers is undeniable, both in Nietzsche's thought and in the truth about the establishment of justice. However, there are also sociological conditions at play enabling the rise of those individuals. Very early on in human history, with the advent of agriculture and trade, reliable food surpluses and stockpiles of goods led to wealth inequalities. Even earlier, tensions between neighbouring communities created the potential for eliminating intra-group strife.[9]

Moreover, these sociological conditions do not only concern historically influential individuals. There are also broadly evolutionary pressures on societies to centralize authority.

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[7] Nietzsche, *On the Genealogy of Morals*, second essay, section 11.

[8] Herodotus, *Histories*, trans. George Rawlinson (Hertfordshire, England: Wordsworth Editions Limited, 1996).

[9] For a very recent in-depth discussion of these sorts of conditions, see Kim Sterelny, *The Pleistocene Social Contract: culture and cooperation in human evolution* (USA: Oxford University Press, 2021).

While we can still appreciate some value in the older order wherein individuals take matters into their own hands—a parent of a murdered child might feel an anger that only revenge can quell, a feeling that I think is at least comprehensible—there is ultimately benefit in the newer order under which the punishment for misdeeds is deferred to a central authority. The murdered brother case from above can be elaborated. You, to protect your family's honor, murder your brother's murderer. In turn then the family of that murderer, now murdered, must respond in kind. And so on. Blood feuds like this can last generations, and tear apart communities. The benefit that a central authority has in this respect is identified by Nietzsche in the quote above, as the imposition of measure on the "excesses of the reactive pathos" and the "predominance of grudges and rancor."

By talking of broadly evolutionary pressures on societies in the context of Nietzsche's view of the origin of justice, I am interpreting Nietzsche as an early theorist of cultural evolution, espousing the view that the evolution of individual creatures and the evolution of their communities are each governed by a similar set of naturalistic laws.[10] It must be emphasized that the sense in which the term "evolution" is appropriate here is *not* in its everyday sense, the one which suggests progress or advancement. Instead, we are using the term in its scientific sense, as in "biological evolution." So this way of looking at culture is not "eugenicist" or supremacist: evolution is cold and naturalistic; its unfolding does not sustain any moral claims about this or that people being better than any other. Nietzsche himself writes in the same tone:

> The "evolution" of a thing, a custom, an organ is thus by no means its *progressus* towards a goal, even less a logical *progressus* by the shortest route and with the smallest expenditure of force—but a succession of more or less profound, more or less mutually independent processes of subduing, plus the resistances they encounter, the attempts at transformation for the purpose of defense and reaction, and the results of successful counteractions.[11]

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[10] For an introduction to the contemporary work on cultural evolution, see Peter J. Richerson and Robert Boyd, *Not by Genes Alone: how culture transformed human evolution* (USA: The University of Chicago Press, 2005). For some Nietzsche scholarship that identifies this sort of thinking in his works, see John Richardson, *Nietzsche's New Darwinism* (USA: Oxford University Press, 2004), Peter R. Sedgwick, *Nietzsche's Justice: Naturalism in Search of an Ethics* (Canada: McGill-Queen's University Press, 2013), and Rachel Cristy, "Nietzsche on the Good of Cultural Change," *European Journal of Philosophy* 31 (2023).

[11] Nietzsche, *On the Genealogy of Morals*, second essay, section 12.

Finally, it is worth considering an infamous "theory" of justice confidently set forth by one of Socrates' interlocutors in the beginning of Plato's *Republic*, Thrasymachus: "I say that justice is nothing other than the advantage of the stronger."[12] It is tempting to assimilate Nietzsche's view to Thrasymachus'; consider Nietzsche's talk of "active and aggressive powers" and "processes of subduing" in the previous two quotes. But Thrasymachus' idea is that the stronger individuals lay down certain laws, where those laws merely serve their own interests, such as maintaining their position of power. Accordingly, Thrasymachus contends that it is naive to think that such laws are in any way beneficial for the masses to follow as they are not in the interests of those they subjugate. While we did see that Nietzsche speaks of strong-willed individuals imposing their will on the masses, it would naive to conflate Nietzsche's view with Thrasymachus'. A law imposed on the masses need not be in the interest of the power which lays it down, nor need it be against the interest of the masses it subjugates; the strong-willed may be merely acting as nodes in a social network, their individual reasons for action irrelevant. Accordingly, we might say that, for Nietzsche, justice is the *effect of* the will of the stronger. But even that subtler formulation is not completely correct, for we have also seen how Nietzsche's view should be filled out with appeal to purely sociological factors.

So far I have covered Nietzsche's thoughts on the origin of justice. In sum, societies "evolve" so that punishment becomes more and more deferred to a central authority. I now begin addressing the two points that I said in the introduction were my main concern: first how we relate to social reality; second how that reality shapes us.

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Recall the first of the two questions I attributed to Nietzsche regarding our bad conscience: why do we feel that others, and even ourselves, ever *deserve* punishment? Nietzsche's answer, in brief, is that the judgment that a certain misdeed *ought to* receive a certain response is a moralistic interpretation of the social reality in which we find ourselves, where as was just argued that reality is in fact governed by naturalistic laws.

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[12] Plato, "Republic" in *Plato: Complete Works,* ed. John M Cooper (Indianapolis: Hackett, 1997), Stephanus number 338c.

> To return to our subject, namely *punishment*, one must distinguish two aspects: on the one hand, that in it which is relatively *enduring*, the custom, the act, the "drama," a certain strict sequence of procedures; on the other, that in it which is *fluid*, the meaning, the purpose, the expectation associated with the performance of such procedures. […] To give at least an idea of how uncertain, how supplemental, how accidental "the meaning" of punishment is, and how one and the same procedure can be employed, interpreted, adapted to ends that differ fundamentally, I set down here the pattern that has emerged from consideration of relatively few chance instances I have noted. Punishment as a means of rendering harmless, of preventing further harm. Punishment as recompense to the injured party for the harm done, rendered in any form (even in that of a compensating affect). Punishment as the isolation of a disturbance of equilibrium, so as to guard against any further spears of the disturbance. Punishment as a means of inspiring fear of those who determine and execute the punishment. Punishment as a kind of repayment for the advantages the criminal has enjoyed hitherto (for example, when he is employed as a slave in the mines). Punishment as the expulsion of a degenerate element…[13]

Imagine a trial where the defendant is convicted after a lengthy legalistic process and inevitably punished. A common justification for such a sequence of events is that the guilty is punished so that order is maintained by deterring others from doing the same. Perhaps reformation is also relevant. Nietzsche mentions even more potential justifications in the quote above. On the present picture, none of those justifications accurately reflect the reality of the process by which the criminal is punished. They are instead moralistic glosses we make to make sense of our social reality.

To further illustrate the crucial distinction here, that between a piece of objective reality and a moralistic interpretation we make of it, consider an example given by Walter Kaufmann, where a child, subject to their parent's draconic rule, is punished for misbehaving. The child might at first think of their predicament as merely mechanical: a certain behavior inevitably results in a certain harsh reaction. However, the child might eventually come to conflate the mechanical inevitability of the penalty with its moral aptness. Kaufmann writes,

[13] Nietzsche, *On the Genealogy of Morals*, second essay, section 13.

> One might well be waiting for the penalty, feeling that it still must come to complete the cycle, and in this expectation it might prove impossible to draw a line between "must come" and "ought to come." Even as some geometric figures are seen as incomplete triangles or circles that cry out for one brief of the pencil, it is felt in cases of this kind that some painful event is still required or—deserved. "You've got it coming for you."[14]

Again we have the two-part structure where an interpretation is placed upon a given piece of physical reality.

Kaufmann distinguishes his own thoughts on the origin of justice from Nietzsche's by arguing that Nietzsche is only concerned with large-scale social orders, as with the institution of law. Accordingly, Kaufmann's own example is illuminating because it shows how the same structure can be found in small-scale interactions such as that between a parent and child. Here I focus on that structure itself and elucidate it further by connecting it to more general existentialist themes in Nietzsche's thought, as well as illustrate how that structure can arise even where the interpreted matter does not involve human actions whatsoever in order to highlight just how radical Nietzsche's conception of social reality is.

Nietzsche's existentialism can be understood as a response to Arthur Schopenhauer's *problem of suffering*. Schopenhauer, the eternal pessimist and an early influence on Nietzsche's thought, wrote, "If suffering is not the first and immediate object of our life, then our existence is the most inexpedient and inappropriate thing in the world."[15] In simpler terms: if suffering is not the meaning of life, then life has no meaning. Consider the predominance of pain and suffering, from catastrophic events such as disease, war, and natural disasters to the everyday frustration of our desires. Regarding the latter, to borrow a line from Buddhist thought, the mere fact that we are creatures with earthly desires places us in a constant cycle straining for completion.

Schopenhauer's problem of suffering relies not only on hoary observations about pain's predominance, but also considers our cognitive nature by contrasting us with other animals that might be said to "live in the moment." Other animals lack to various degrees the

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[14] Walter Kaufmann, "The Origin of Justice," *Review of Metaphysics* 23, No. 2 (1969), page 213.

[15] Arthur Schopenhauer, "Additional Remarks on the Doctrine of the Suffering of the World," in *Parerga and Paralipomena: Short Philosophical Essays Volume Two,* trans. E. F. J. Payne (USA: Oxford University Press, 2000), page 291.

sophisticated memory and foresight that we have; we can remember long into the past and plan far into the future. Accordingly, Schopenhauer argues that, because of our cognitive complexion, we are able to experience more pleasure than the other animals: compare a moment's pleasure of eating a good meal with the feeling of achievement an athlete feels winning a competition after years of training. However, while the ceiling of our potential pleasure is greater than that of the other animals, *for the same reason that is so* our potential for suffering massively exceeds theirs. The lower limit of pain we might feel, given our capacities of memory and anticipation, is so deep that it vastly outweighs any benefit in pleasure provided to us by those same capacities. The animal living completely in the moment—though perhaps no creature is quite *that* simple—can experience a great amount of pain but the pain is limited to what can be physically inflicted within one moment. But with our memory, a moment's pain can haunt one forever, and in the present one can be consumed with anxiety or fear of what pain the future might bring. Schopenhauer concludes, "Animals are much more satisfied than we by mere existence; the plant is wholly satisfied, man according to the degree of his dullness."[16]

For Nietzsche as well, by accepting the problem of suffering as a problem to be solved, our lives are characterized by a baseline of constant, senseless suffering.

> *What really arouses indignation against suffering is not suffering as such but the senselessness of suffering*. […] So as to abolish hidden, undetected, unwitnessed suffering from the world and honestly to deny it, one was in the past virtually compelled to invent gods and genii of all the heights and depths, in short something that roams even in secret, hidden places, sees even in the dark, and will not easily let an interesting painful spectacle go unnoticed.[17]

But Nietzsche's response here is optimistic, in contrast to Schopenhauer's pessimism. The thought can also be called "existentialist" because it places value in the enactment of our own distinctively human capacities: we can (and do) bring our sophisticated cognitive resources to bear in interpreting the suffering around us, thereby providing a rationalization of it with the aim of mitigating its pessimistic effects.

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[16] Schopenhauer, "Additional Remarks on the Doctrine of the Suffering of the World," page 296.

[17] Nietzsche, *On the Genealogy of Morals*, second essay, section 7. Emphasis added.

One such type of rationalization that Nietzsche spends much space discussing in the *Genealogy* is that provided by religious thinking. We see that fixation of his in the passage above, where Nietzsche speaks of the invention of "gods and genii of all the heights and depths." In general, religious doctrine can be seen as a way of coming to terms with our earthly fate. For example, when I was young there was a disastrous flood in my hometown. Shortly after a local newspaper published an op-ed penned by a resident arguing that it was God's punishment to us for the recent legalization of gay marriage in my country, Canada. So there was an episode of suffering in and of itself "senseless" in that the physical causes and laws leading to the flood were impartial and mechanical. Then, the resident religious thinker provided an interpretation or justification: someone *deserved* it. That someone was *us*: the op-ed argued that *we* Canadians deserved the punishment we got.

Nietzsche's own line of thought reveals a strange tension in this religious thinker's posture. As Nietzsche claims, providing a justification—so *a fortiori* a religious justification—of some piece of suffering is supposed to alleviate that suffering. Yet at the same time religious justification presumably leads to more suffering, for it is the sufferer themself who is held responsible. That there is something counterproductive here is precisely Nietzsche's criticism of religion, particularly Christianity. He thinks that religious justifications of our existence—our suffering, that is—are characteristically ineffective *by their own lights*. They are attempts to alleviate our suffering by providing an easy, "one-size-fits-all" explanation for it: any suffering you experience can be explained in that you deserve it, for you are fundamentally a sinner, and no matter what happens in this life in the next the good will be rewarded and the wicked punished. But that simple umbrella response ultimately leads to more suffering, since it creates or at least deepens one's self-hatred, and neuters one's drive to change the circumstances of this life.

A similar interpretation of Nietzsche's criticism of religion is given by Brian Leiter, who emphasizes how Nietzsche analogizes religion to a *narcotic*.[18] Religious belief provides an easy fix, a simple and immediate explanation for any piece of one pain one might encounter. Hence its seductiveness. But it is short-sighted, providing only temporary relief, ultimately creating more suffering, comparable to the effects of a drug such as alcohol. One begins

[18] Brian Leiter, "The Truth is Terrible," *Journal of Nietzsche Studies* 49, No. 2 (2018).

drinking to quell sad thoughts, which works fine at first. But by continuing one becomes addicted, develops a tolerance, and faces serious ailments from the addiction.

Leiter, in his interpretation here of Nietzsche, focuses on how the aim of this or that way of responding to life's suffering is to provide an "aesthetic release." That is, according to Leiter's Nietzsche, we find ways of *feeling* better in the face of suffering. One way of doing so is to find someone to blame for that suffering, so that one can release feelings of resentment upon them—though the mistake in the religious thinker's method, the reason it is ultimately counterproductive, is that the one to blame is oneself.

But what I wish to emphasize in discussing Nietzsche's existentialist response to the problem of suffering is not that a way of dealing with life's suffering must involve a release of affect. I am instead interested in the independent point that in justifying life's suffering we construct narratives or rationalizations to explain away its senselessness, and in doing so we exercise our complex and distinctively human cognitive abilities. As the case of religious justification shows, it is not the case that every way of constructing such a narrative is beneficial. But *that there are* beneficial ways of doing so I take to be Nietzsche's existentialist thesis, for if there are then our nature of creating narratives is vindicated. It is then not, contrary to Schopenhauer's pessimism, that thinking too hard always brings along more pain. There is instead an optimistic job for our creative thinking in the face of life's suffering—though I leave it as an exercise to the reader to determine how that could be the case.

Returning now to the main thread of our discussion, in order to see how our relation to social reality is akin to a religious thinker's explanation for a flood, earthquake, and so on, we must understand that in and of itself social reality is akin to such natural disasters. Perhaps to one living in a small village, isolated from modern civilization, social reality would be comprehensible: the norms and practices of the community ideally based directly on continued mutual agreement between each community member. But modern society is suffused with technocratic bureaucracy. Thus, it is plausible to think of its practices and institutions—think of government surveillance and the use of big data—as akin to the operation of impersonal and nearly incomprehensible natural forces. Consider the perplexity one might feel about the reasons for the rising tensions between two countries, plus the tsunami of suffering a resulting war would bring.

Finally, that our social reality is ripe for rationalizing interpretations is evinced by the attractiveness of conspiracy theories. Conspiracy theories typically begin with the occurrence of some bad effect: the worsening gap between rich and poor, for instance, accelerated by the recent global pandemic. A simplistic and conspiratorial explanation of that effect is that there is a secret group of powerful individuals who schemed to bring it about: in the case at hand, those who stand to gain from that transfer of wealth planned the pandemic and the ensuing government policies. In contrast, a more sober explanation appeals to complex sociological factors, not concerning individual's intentions: governments, for instance, have incentives to be risk-adverse in policy so as to avoid death among their citizens—in order to maintain their popularity in the short term—despite the fact that the longer term consequences of those policies might involve exacerbating the wealth divide. But the simple, conspiratorial explanation—just like the religious explanation of a flood: that there is a hidden, all-powerful agent punishing us—provides a rationalization of the suffering. It finds someone to blame, which Nietzsche would say alleviates that suffering, to some degree.[19]

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Having laid out Nietzsche's thoughts about the first point of concern—how we relate to social reality—I turn to Nietzsche's thoughts on the second point—how that reality shapes us. So recall the second of the two specific questions I attributed to Nietzsche regarding our bad conscience: why do we feel guilt when we have done something wrong? It is one thing, recall, to simply *judge* that one has done something wrong, but it is something else to *feel* shame and guilt. Similarly, it is one thing to judge that another has been wronged by someone else; it is another to feel indignation towards the wrongdoer.

In brief, Nietzsche's answer is that we have a deep desire that brings us pleasure when inflicting suffering, and as society developed we could no longer manifest that desire onto others. So we began inflicting suffering onto ourselves, and in so doing we *self-domesticated*.

[19] For a review of recent work on the psychology of conspiracy theories, which mentions the "existential" motives people have in believing them and which also raises the question of whether believing them is actually an effective way of satisfying those motives, see Karen M. Douglas, Robbie M. Sutton, and Aleksandra Cichocka, "The Psychology of Conspiracy Theories," *Current Directions in Psychological Science* 26, No. 6 (2017).

Now to elaborate by appeal to a couple key points from earlier regarding the establishment of justice. First, Nietzsche highlights the existence of social orders, more-so prevalent in the past but still existing to some degree today, in which individuals are permitted and even expected to exact revenge upon those who harm them. Recall the morbid social order in which a creditor, who could not be repaid by a debtor, could torture the debtor. Nietzsche observes regarding that practice,

> Let us be clear as to the logic of this form of compensation: it is strange enough. An equivalence is provided by the creditor's receiving, in place of a literal compensation for an injury (thus in place of money, land, possessions of any kind), a recompense in the form of a kind of *pleasure*—the pleasure of being allowed to vent his power freely upon one who is powerless, the voluptuous pleasure "*de faire le mal pour le plaisir de le faire*," the enjoyment of violation.[20]

The point here is that the existence and comprehensibility of such a social order—the fact that torturing another *can* compensate for an unpaid debt—shows that we have a deep, instinctual enjoyment in inflicting suffering. Nietzsche writes shortly after the passage above, "To ask it again: to what extent can suffering balance debts or guilt? To the extent that to *make* suffer was in the highest degree pleasurable," and the reason that bringing about suffering is pleasurable is presumably because we have a drive or "thirst for cruelty."[21]

The second key point is that one way in which society "evolves" is that punishment for misdeeds becomes increasingly deferred to a central authority, one with a monopoly on the use of force. Strong-willed aggrandizers imposed form on the masses by instituting law, taking the power of retribution from individuals and making punishment more mild and impersonal.

Putting the two points together, in a society where justice has been established, there is no direct way of discharging one of our instinctual enjoyments. So, Nietzsche concludes, we end up releasing its pressure indirectly, by inflicting suffering upon ourselves. Moreover, it is not that we inflict suffering upon ourselves in a simple, physical way—though that does occur, such as in the religious practice of self-flagellation. Crucially, we self-inflict suffering inwardly, within the psychological realm. So the answer to the second question regarding bad

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[20] Nietzsche, *On the Genealogy of Morals*, second essay, section 5.

[21] Nietzsche, *On the Genealogy of Morals*, second essay, section 6.

conscience—the one about the feelings of guilt and shame—is that those feelings are self-imposed internal suffering. In particular, the feelings result from the same basic impulse guiding one's action when visiting vengeance upon another.

Further, Nietzsche takes there to be a notable effect of this mass self-inflicted psychic suffering: psychological depth. Here are a few dramatic passages on that theme.

> Ah, reason, seriousness, mastery over the affects, the whole somber thing called reflection, all these prerogatives and showpieces of man: how dearly they have been bought! How much blood and cruelty lie at the bottom of all "good things"![22]

> The man who, from lack of external enemies and resistances and forcibly confined to the oppressive narrowness and punctiliousness of custom, impatiently lacerated, persecuted, gnawed at, assaulted, and maltreated himself; this animal that rubbed itself raw against the bars of its cage as one tried to "tame" it; this deprived creature, racked with homesickness for the wild, who had to turn himself into an adventure, a torture chamber, an uncertain and dangerous wilderness—this fool, this yearning and desperate prisoner became the inventor of the "bad conscience."[23]

> We modern men are the heirs of the conscience-vivisection and self-torture of millennia: this is what we have practiced longest, it is our distinctive art perhaps, and in any case our subtlety in which we have acquired a refined taste.[24]

This process of self-domestication modified human nature, creating a complex inner life. One striking aspect of this thesis is that, according to it, human nature is not something fixed. It can change, in particular as a result of social factors. In the case we have considered, the social factors are those around the development of justice. Again, with punishment for misdeeds more and more deferred to a central authority, we find other ways of releasing our thirst for cruelty.

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[22] Nietzsche, *On the Genealogy of Morals,* second essay, section 3.

[23] Nietzsche, *On the Genealogy of Morals*, second essay, section 16.

[24] Nietzsche, *On the Genealogy of Morals,* second essay, section 24.

To conclude, I wish to discuss Nietzsche's self-domestication thesis from an evolutionary perspective, in order to lend it some empirical legitimacy, as well as draw out another of its radical features.

Charles Darwin first found that there are a number of traits broadly shared among domesticated animals, such as dogs and mice, compared to their wilder counterparts.[25] These traits include smaller ears and teeth, and increased docility and juvenile behavior. More recent work terms this suite of traits the "domestication syndrome," proposing that it arises in virtue of evolutionary pressures selecting for reduced aggression and pro-sociality, and even finding a genetic basis for the suite of traits. It is then pointed out by modern proponents of the human self-domestication hypothesis that we possess a significant number of domestication syndrome traits.[26]

Now consider Nietzsche's suggestion that "reason, seriousness, mastery over the affects, the whole somber thing called reflection, all these prerogatives and showpieces of man…" are products of self-domestication. Reason in particular is typically held dear by us, and taken to be a particularly powerful human capacity. If, however, the domestication syndrome traits are united in that creatures evolve them when living in increasingly comfortable conditions, then those traits should not be expected to be particularly powerful, as with smaller ears and teeth, and increased docility and juvenile behavior. The self-domestication hypothesis could of course be false regarding reason and the other "showpieces" of our nature—after all, a trait shared among nearly all other domesticated species is a reduced brain size, while human evolution is marked by the exact opposite, a drastic increase in brain size. Nonetheless, the present considerations reveal how radical Nietzsche's version of the hypothesis is, as it demeans the purportedly sophisticated aspects of our nature.

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[25] Charles Darwin, *The Variation of Animals and Plants under Domestication* (London: John Murray, 1875).

[26] For recent surveys of and recent work on (self-)domestication, see Adam S. Wilkins, Richard W. Wrangham, and W. Tecumseh Fitch, "The "Domestication Syndrome" in Mammals: a unified explanation based on neural crest cell behavior and genetics," *Genetics* 197 (2014) and Dor Shilton, Mati Breski, Daniel Dor, and Eva Jablonka, "Human Social Evolution: self-domestication or self-control?," *Frontiers of Psychology* 11, No. 134 (2020). For a more historical survey of the self-domestication hypothesis, which discusses how it has been misused, see Martin Brüne, "On human self-domestication, psychiatry, and eugenics," *Philosophy, Ethics, and Humanities in Medicine* 2, No. 21 (2007).

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