

## Normativity and Moral Psychology: Nietzsche's Critique of Kantian Universality

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That Nietzsche opposes Kant's vision of morality should hardly be news. Peculiarly, though, rather little has been done to systematically set out even the broad character of this contretemps, let alone pinpoint and evaluate its finer details.<sup>1</sup> This chapter begins to redress that neglect, by reconstructing Nietzsche's critical engagement with Kant's assumption that practical normative laws must be *universal in scope*. This assumption is pivotal to at least two arguments central to Kant's entire moral philosophy: his *derivation* of the Categorical Imperative<sup>2</sup> from the concept and motive of duty, and his *justification* of morality via rational autonomy. My aim is to show that Nietzsche puts serious critical pressure on both arguments and thus on one of Kant's most important conclusions: the conclusion, namely, that morality represents an objectively justified normative standpoint because the moral laws an autonomous agent gives herself are binding on all rational agents.

My argument is cumulative. Given the topic's comparative neglect, §1 situates Nietzsche's opposition to Kant within the context of their respective ethical projects. §2 introduces Kant's derivation of the Categorical Imperative. §3 presents the initial Nietzschean challenge to it. This amounts to a well-motivated denial of Kant's assumption that practical normative laws, including those implicating moral duties, *have to be* universal across agents. Nietzsche also wants to show that *no* such laws are necessarily universal in Kant's sense, however. §4 therefore explores his rationales for this stronger thesis and his critique of Kant's attempted justification of morality via autonomy. One key conclusion is that Nietzsche's challenge retains bite against 'first-personal' readings of Kant according to which an autonomous agent's own practical standpoint commits her to morality.

### 1. Scene setting

Nietzsche's overarching ethical program is his envisaged 'revaluation of all values'. This is a multifaceted project, both critical and positive, that we can structure as follows. Negatively, it involves a critique of prevailing 'morality', in turn comprising two elements: one substantive, in which Nietzsche calls into question the value of morality, on grounds that it is antagonistic to the highest forms of human

flourishing and excellence; the other metaethical, by which he challenges various foundational, objectivist presuppositions holding morality in place. The positive project then advances a demoralised perfectionist ideal valorising the highest forms of flourishing and excellence.<sup>3</sup>

Kant is a paradigmatic representative of the enterprise ‘morality’ Nietzsche attacks. Consonant with his more general revaluative ambitions, Nietzsche’s opposition to Kant’s conception of morality has three principal foci: the disvalue of the normative ideals it propagates; the conceptual apparatus via which Kant seeks to explicate and justify it as normatively authoritative; and the attending conceptions of free will and autonomy this justificatory endeavour rests on. To set the scene, it will be useful to briefly outline each.

*Morality’s disvalue.* Nietzsche’s animating critical concern is a substantive, normative-evaluative one. He thinks that morality is overall disvaluable because inimical to the highest forms of human flourishing and excellence—goods that at least some people, notably ‘free spirits’ or ‘higher types’, have reason to pursue and realize.<sup>4</sup> Thus, he suggests, morality is ‘detrimental precisely to [those] higher men’ (*BGE* 228) representative of the ‘highest human type’ (*GM* P6)—to ‘men of great creativity, the really great men according to my understanding’ (*KSA* 11: 37[8]). Indeed, ‘nothing stands more malignantly in the way of their rise and evolution... than what in Europe is today called simply “morality”’ (*ibid.*) (cf. *BGE* 62; *GM* III 14; *A* 5, 24; *EH* IV 4). Although it is typically assumed that morality ‘promot[es] the progress of human existence’, Nietzsche asks: ‘What... if the opposite were the case?... So that none other than morality itself would be the culprit if the highest power and splendour of the human type, in itself a possibility, were never to be reached? So that morality would constitute the danger of all dangers?’ (*GM* P6). He is not desisting from the implicature here: he does think morality disvaluable.<sup>5</sup> Regarding Kant specifically, he urges that both the content of Kantian morality and the theoretical apparatus Kant deploys in its service are ‘expressions of decline, of the final exhaustion of life’; indeed, they are antagonistic to the ‘profoundest laws of preservation and growth’ and ‘should have been felt as mortally dangerous’ (*A* 11; cf. *GM* P3). The implication is clear: Kant’s moralised vision of ethical life must be resisted.<sup>6</sup>

*Morality’s authority.* Importantly, Nietzsche also opposes various manifestations of morality’s claims to objectivity. This includes, in particular, a denial of morality’s *normative authority*. The notion of

normative authority is notoriously complex. For present purposes, it can be characterised by saying that, if morality is normatively authoritative, then one ought categorically to comply with it. *Compliance* can here be understood broadly, to include doing whatever is required by, or appropriate in light of, moral considerations, norms, values, duties, and ideals. And we can explicate *categoricity* thus: if one ought categorically to comply with morality, one ought to so comply irrespective of whether doing so serves or conflicts with one's subjective motives (very roughly for now: one's desires, aims, ends, interests, evaluative commitments, and the like; I offer a little more detail in §4). It would then follow that morality is universal in scope or jurisdiction in the sense, and to the extent, that one does not escape it merely if or because compliance isn't ancillary to one's motives. Denying morality's authority is crucial to Nietzsche's critique. For if, as he thinks, complying with morality can conflict with and be inimical to the highest forms of human excellence and flourishing, then those higher types whose excellence and flourishing morality systematically thwarts ought *not* to comply with it. Yet that would not be possible if morality were normatively authoritative. So he needs to deny that it is.<sup>7</sup> And, indeed, many of Nietzsche's discussions of Kant show that he does deny it.

For Kant, moral duties are requirements of rationality. Such duties are both categorical and universal in scope: they specify actions one ought to perform irrespective of whether doing so serves one's subjective motives; and, because these duties are demands of rationality, the 'oughts' they present are binding on any rational agent. Such requirements are revealed through, as the conclusions of, rational deliberation (or practical reasoning) that is *pure*: 'pure' in the sense that the content of one's deliberative processes need neither start from, nor otherwise involve recourse to or be influenced by, one's subjective motives. And, since any rational agent is capable of such deliberation, any rational agent is capable of recognising the demands of morality. For Kant, then, morality is normatively authoritative because the categorical duties it presents are requirements of rationality binding on all rational agents.

Nietzsche, though, denies a whole gamut of conceptual presuppositions underpinning Kant's moral rationalism. He suggests that the good will, as 'good in itself', along with the 'impersonal and universal' conception of 'duty' supposedly derived from it, are 'phantoms' (A 11). A recurring theme is that moralities 'are only a *sign-language of the emotions*' (BGE 187), neither the result of pure impersonal rational deliberation, nor binding independent of one's deep-seated motives (I return to this in §4). Kant's

conception of morality and its supreme principle are thus disregarded as a ‘Moloch of abstraction’ (*A* 11)—little more than an abstract representation of Kant’s own ‘innermost drives’ (*BGE* 6)—which, Nietzsche thinks, should be discarded along with the entire range of synthetic (putatively) *a priori* judgements Kant aligns them with (*BGE* 11). He often expresses this via resistance to the idea that ‘oughts’ and ‘ought’-judgements are unconditioned by an individual’s or group’s drives and driving interests—and hence resists the conclusion that ‘oughts’ are unconditionally binding because authorised by one’s purely rational nature or some higher external authority (*GS* 345, 347; *BGE* 46, 199). (He connects the supposed unconditionality of duty directly to categoricity at *GS* 5, *BGE* 187 and *EH* IV 7.) Thus, when he suggests that ‘each one of us should devise... *his own* Categorical Imperative’ (*A* 11; cp. *GM* P3), the partly parodic phrasing conceals a more serious point. Although Nietzsche agrees with Kant that ‘oughts’ can be ‘self-legislated’, he thinks that all normative judgements are shaped and influenced by the judger’s own psychological particularities, whereby neither the judgements themselves nor the normative verdicts they express are pure in Kant’s sense.

*Free will and autonomy.* Nietzsche also objects on various grounds, metaphysical and ideological, to a range of conceptions of free will. Free will is of course especially important for Kant’s moral project. Ultimately, morality is justified only if we as rational agents possess a will that is not solely determined by natural causes (including our subjective motives) but that can freely determine itself as autonomous by setting its own laws and ends. One may not be able to decisively prove via canons of *theoretical* reason that we are free. However, Kant thinks that we cannot help but regard ourselves as free from a *practical* point of view. Indeed, agency itself, understood from a first-personal perspective, is only possible under a presupposition of freedom, whereby free will is a necessary postulate for agency—including the kinds of moral agency and practical reasoning implicated by Kant’s moral system.

Much recent commentary has explored Nietzsche’s views of the will and freedom. Although considerable disagreement persists as to his decided position,<sup>8</sup> it clearly opposes Kant’s. In this essay, though, I remain neutral over both the metaphysical status of the will as Nietzsche conceives of it and scholarly disputes concerning what sort of freedom (if any) this licenses. The strategy in §4 will instead be to show how Nietzsche presents a view of human psychology the veracity of which would serve not only to undermine Kant’s purist conception of autonomy from a theoretical standpoint, but also to destabilise

the idea that conceiving of ourselves as autonomous self-legislating agents thereby commits us to morality from a first-personal perspective.<sup>9</sup> First, though, we need to attend to an earlier stage in Kant's argument, concerning the nature of moral duty as categorical and universal in scope.

## 2. Kant's derivation

In Chapter I of the *Groundwork*, Kant argues that acting from the motive of duty guarantees doing one's duty, since it involves acting in accordance with rational laws. In doing so, he presents an argument designed to derive the supreme principle of morality, the Categorical Imperative, from the motive and concept of duty. Let's call this the 'Derivation'. It proceeds as follows:<sup>10</sup>

[D1] (a) The concept of moral duty involves the idea of a rule or practical law—such that (b) if there are moral duties, these instantiate laws specifying actions people can and ought to perform. (*G* 389, 400; see also 427)

[D2] Laws apply to everyone: in particular, just as laws of nature apply to all objects, practical laws apply to everyone. (*G* 400–402; see also 412)<sup>11</sup>

[D3] So, (a) the concept of moral duty involves the idea of a practical law that applies to everyone—such that (b) if there are moral duties, these instantiate laws applying to everyone. (*G* 400–402)

[D4] Different people have different subjective motives for action, however. (*G* 397–99)

[D5] In which case, if there are moral duties (instantiating practical laws applying to everyone), they cannot hold in virtue of any particular person's (subjective) motives. (*G* 399–400)<sup>12</sup>

[D6] If there are moral duties, these duties must instead hold in virtue of what it would be rational to do irrespective of one's (subjective) motives. (*G* 401–402; see also 425, 427)<sup>13</sup>

[D7] Doing what it is rational to do irrespective of one's subjective motives involves acting according to a law that could apply to everyone whatever their subjective motives (*G* 401–402; see also 425, 427)

From here Kant argues that this implies acting in accordance with the Categorical Imperative—his first formulation of which is 'I ought never to act except in such a way *that I can also will that my maxim should become a universal law*' (*G* 402)—whereby acting from the motive of duty is acting in accordance with, and with reverence for, the moral-rational law embodied in the Categorical Imperative (*G* 402-3).

Nietzsche straightforwardly accepts the empirical thesis D4. He may also accept each or any of D1, D3, D5 and D6, insofar as these are understood as *conceptual* theses rather than substantive truths—theses, that is, about the concept of moral duty. However, he denies the consequents of D6 and D3b on *substantive* grounds—and hence denies that there are moral duties, thus understood. He must also therefore deny D2.<sup>14</sup> It is this assumption D2, concerning the claim that practical laws (including those implying moral duties) apply to everyone, which forms the primary focus here on in. Denying it may then allow Nietzsche to deny that there really are moral duties in the senses enumerated through each of D1, D3, D5 and D6—which, in turn, would put serious pressure on the conclusion D7 and hence Kant's passage towards the Categorical Imperative.

The intended conclusion of the Derivation (through D6 and on) is of course conditional: *if* there are moral duties, this is what they are like. Kant seeks to establish that there are moral duties later in the *Groundwork* through his discussion of rational autonomy. There, he again invokes D2 and something akin to D3. I return to these issues in §4. First, though, the focus is D2 as it figures in the Derivation, at this stage relatively unencumbered by Kant's fuller rationalist garb.

### 3. Nietzsche's basic challenge

Nietzsche seeks to reject Kant's assumption that practical normative laws are universally binding. However, to be clear on the nature of this challenge, it is important to emphasize (as I will show in the rest of this section) that Nietzsche and Kant agree on each of the following points: first, agents can be governed by, and can govern themselves through, *laws*; second, such laws are or can be *normative*, in that they specify things agents ought (or ought not) to do; and, third, practical normative laws can be *self-legislated*: (at least some) agents legislate these laws to and for themselves, thereby governing themselves through laws they 'give themselves'. As will become clear, though, Kant and Nietzsche have crucially different conceptions of self-legislation.

So, Nietzsche is not denying that there are or can be self-legislated practical normative *laws*, concerning what one ought to do. His challenge instead focuses on the idea that such laws are *universal* in the sense that they must apply to everyone. Kant of course suggests in the Derivation that this just *is* part of the very *concept* of a law: just as laws of nature apply to all objects, part of what it is for something to be

a practical law is that it applies to all human agents.<sup>15</sup> In which case, Kant might maintain, if an ‘ought’ does not apply to all agents it does not instantiate a law. It is *this* assumption, however, that Nietzsche is challenging. This section examines why he thinks that a law does not have to be universal. To do so, it will be useful to break the discussion into three stages. First, we need to show that in opposing Kant’s vision of morality Nietzsche is nonetheless operating within a *normative* perspective (§3.1). Second, we need to show that he follows Kant by framing this perspective in terms of *laws*—indeed, laws one *gives oneself* (§3.2). Third, we need to show how such laws, although not universal, can still be both *normative* and indeed *laws* (§3.3).

### 3.1 Nietzsche and normativity?

My later argument assumes that Nietzschean laws have a legitimate claim to being *normative*. We can characterise the normative sphere as a region of thought and practice centred around the paradigmatically normative concepts *ought* and *a reason*. This is often contrasted to the *evaluative* realm, as picked out by more narrowly valoric concepts like *good* and *bad*. The normative-evaluative distinction can be important—and, for Nietzsche, I think it is.<sup>16</sup> Some commentators deny, or at least doubt, that Nietzsche’s perfectionist ideal represents a normative standpoint, one involving claims appropriately couched in terms of what people ought or have reason to do.<sup>17</sup> However, to suppose that Nietzsche jettisons normativity not only misconceives the nature of his own positive ideal but, in the present context, misrepresents his criticisms of Kant. So it is important to understand how these criticisms are embedded in a perfectionist ideal that is indeed normative. It is not clear what exactly motivates the suggestion that Nietzsche discards normativity. But I’ll show that two rationales which might inform that suggestion fail and then raise exegetical qualms about the suggestion itself.

First, it may be argued, even though the conceptual vocabulary that survives Nietzsche’s revaluation of all values includes a range of narrowly *valoric* concepts like *good* and *bad* (see *GM I 17*), his positive ideal has no place for traditional *deontic* notions like *duty* (and perhaps *ought*). For, the thought goes, these are merely remnants of the very conception of morality—a ‘law-conception’ inherited from an outmoded and otherwise faulty theistic worldview—that Nietzsche opposes and from which he seeks to disinfect us. However, this suggestion rests on a non-sequitur: even if Nietzsche were to desist from

deploying deontic concepts like *duty* (perhaps *ought*), this does not show that he thereby renounces normative thought or talk *per se*. For one thing, the concept of a *normative reason* is not in and of itself deontic. Indeed, many reasons fall on the evaluative side of traditional deontic-evaluative distinctions, in that they are reasons to do things it would be good (best, etc.), but not obligatory, to do. Thus, even if Nietzsche were to desist from framing his positive ideal in deontic vocabulary, this would not commit him to jettisoning such value-oriented normative reasons.<sup>18</sup> Furthermore, if we understand ‘oughts’ as a function of reasons for and against actions, and if ‘oughts’ can be generated by value-oriented reasons, the thought that Nietzsche jettisons normativity wrongly presupposes that ‘oughts’ cannot be value-oriented.

Perhaps the underlying doubt might be articulated a second way, though. Given that morality has come to dominate much of our normative topography in ways to which Nietzsche does indeed object, normative concepts like *ought* have themselves acquired certain *moralised* and *heavyweight* connotations—by specifying duties and prohibitions, often of great moral importance, which serve to regulate interpersonal relations and that apply to most people in most circumstances irrespective of their contingent motives and tastes—whereby such concepts should be discarded entirely. The problem with this suggestion, however, is that we need *not* understand all normative concepts, nor even all *oughts*, in such moralised or heavyweight ways. For not all ‘oughts’ are moral in character or concern interpersonal relations; and some conceptions of *ought* do depend on agential motives and tastes. Indeed, my subsequent argument suggests that this is exactly how normativity works in Nietzsche’s positive ideal.<sup>19</sup>

Denying that Nietzsche makes normative claims also faces a serious interpretative problem: he *does* quite often make them. Sometimes these are couched explicitly as ‘oughts’ and ‘shoulds’. In one often-cited passage, as a rejoinder to some error theoretic claims in which he likens morality to alchemy, Nietzsche nonetheless tells us that he does ‘not deny [...] that many actions called immoral *ought* to be avoided and resisted, or that many called moral *ought* to be done and encouraged’; indeed, it’s just that ‘the one *should* be encouraged and the other avoided *for other reasons than hitherto*’ (D 103; *my emphases*). And, to return to a passage already cited, he suggests that ‘[t]he profoundest laws of preservation and growth demand [...] that each one of us *should* devise [...] his own categorical *imperative*’ (A 11; *my emphases*). Doing what one *should* is here presented as a way of satisfying a *demand* of *law*; and, since the Kantian conception of a categorical imperative to which Nietzsche alludes implicates ‘oughts’,<sup>20</sup> the implication is that one



*should* devise one's own 'oughts'. Furthermore, much of the time Nietzsche frames matters via the traditionally deontic vocabulary of *thou shalt* and *duties* (each of which, it is plausible to suppose, represent or entail *oughts*). To take just a small sample:

the free spirit *knows* which 'thou shalt' he has obeyed, and also now what he *can* do, what he only now is *permitted* to do. (HAH P6)

Signs of nobility: never to think of degrading our duties into duties for everybody; not to want to relinquish or share our own responsibilities; to count our privileges and the exercising of them among our *duties*. (BGE 272)

When an exceptional human being handles the mediocre more gently than he does himself or his equals, this is not merely politeness of the heart—it is simply his *duty*. (A 57)

Finally, although Nietzsche does often present his positive ideal in terms of various valoric and virtue concepts, even if such concepts do not *uniformly entail* practical *oughts* or *reasons* it would be surprising if he intended them to have *no connection whatsoever* to what (at least some) people ought and have reason to do. (For one thing, it would be very peculiar for Nietzsche to maintain that nobody ever has any reason to relinquish morality, or to do what it would be good for her to do, or to pursue excellence, etc.) On the assumption that he makes and endorses normative claims, I'll now turn to his conception of law-giving.

### 3.2 Nietzschean self-legislation

Nietzsche connects his normative claims to laws quite explicitly, saying for example that 'there is no doubt that a "thou shalt" speaks to us too, that we too still obey a stern law' (D P4). Moreover, those free-spirited higher types representative of his perfectionist ideal *give themselves* laws:

It will be the strong and domineering natures that enjoy their finest gaiety in such constraint and perfection under a law of their own. (GS 290)

We, however, *want to become those we are*—human beings who are new, unique, incomparable, who give themselves laws, who create themselves. (GS 335)

He typically suggests that giving oneself laws, as opposed to merely following pre-established mores, is something *only some* people do and perhaps can do; as these two passages suggest, it is, in particular, a hallmark of a free-spirited higher type. Although he offers little by way of sustained explication as to what

exactly such self-legislation involves, we can piece together a number of otherwise disparate looking remarks that together shape up into a cohesive picture. Since free-spirited higher types are Nietzsche's example par excellence of people who give themselves laws, the discussion focuses on them. The first thing to do is briefly outline some things that are involved in being a Nietzschean free-spirited higher type;<sup>21</sup> the rest of the subsection connects this back to giving oneself *laws*.

Free-spirited higher types play *the* central role in Nietzsche's perfectionism: *only they* represent the highest forms of human perfection. Nietzsche indicates two distinct forms of excellence such types embody (both of which, plausibly, are necessary constituents of being a fully-fledged ideal type). On the one hand, free-spirited higher types flourish<sup>22</sup> to a high degree, where this involves achieving a high degree of psychological integration and acting in ways that effectively express who they are. On the other hand, they realize projects marking truly great or excellent external achievements (by producing great artworks, say, to take one of Nietzsche's stock cases). These two facets, though distinct, are related in various ways. In particular, both require creative *activity*; and it is through creative activity that a free-spirited higher type both realizes his potential by becoming who he is (thereby creating his own unique identity; *GS* 335) and produces externally recognisable excellences. Before turning to the further details and their connection to self-legislation, it will be useful to distinguish three levels of goal-directed activity.

Nietzsche implicitly separates long-term overarching goals (one's life or ground projects, say) from more proximal ends. I'll use the term 'project' to denote overarching goals and reserve 'end' for more specific short-term goals, where such ends may be coordinated with reference to, and either instrumental to or partially constitutive of, one's overarching projects. (I'll use 'goals' unqualified when it doesn't matter whether these are projects or ends.) And I'll use 'means' somewhat narrowly to cover only means to one's subsidiary ends (and not, therefore, to also include ends that are instrumental to one's projects). So, for instance, you might set yourself the project of being an artist; you might then set yourself various subsidiary ends, such as producing artworks; and you might take relevant means to realizing those ends, such as acquiring paint. As ever, more fine-grained distinctions can be drawn; but this threefold distinction will suffice for immediate purposes.

Central to Nietzsche's conception of a higher type is that such an agent *sets*, *pursues* and *realizes* his own projects and ends. Take these three goal-directed elements in turn.

How does a free-spirited higher type *set* his own projects and ends? This is intimately bound up with becoming who one is, and involves two main (sets of) elements. First, a higher type engages in uncompromisingly honest self-scrutiny (*GS* 335; *BGE* 39; *A* 50): veridical assessment of the kind of person one already is—‘surveying all the strengths and weakness of [his] nature’ (*GS* 290; cf. *GS* 335)—which in turn yields enhanced *self-understanding*. For Nietzsche, a significant part of what constitutes a person, as the particular individual one is, is one’s drives and motives—one’s desires, evaluative commitments, dispositions of character, and so on. Different people also have different abilities, which they can possess to different degrees. Self-understanding requires understanding the particularities of who one is, as embodied in one’s motives and abilities. For Nietzsche, though, self-understanding is valuable not (or not just) for its own sake, but also because it connects to what one can become. Indeed, self-understanding involves realistic appraisal of what one can make or create of oneself. This must be ‘realistic’ in that one’s assessment of what counts as a genuine practical possibility must be sensitive to facts about the person one already is, since those facts shape and constrain one’s potentialities and hence what one is able to become. It is in light of this veridical self-assessment and the self-understanding it yields that a free spirit sets himself the projects and ends he does—goals that represent real practical possibilities, given both the motives that partly constitute who he is and his abilities.<sup>23</sup> Second, Nietzsche repeatedly emphasises that free-spirited higher types are marked by great independence of thought and action. They think ‘otherwise than would be expected’ (*HAH* 225); they stand apart from the moral herdlike majority (*HAH* 225ff; *GS* 55; *BGE* 44, 212, 260, 274, 284); and, rather than submitting to pre-established externally-legislated authorities (morality supposedly included<sup>24</sup>), they possess an independent self-determining will the exercise of which involves setting their own goals (*HAH* 225; *GS* 290, 335, 347; *Z* ‘Of the Thousand and One Goals’; *BGE* 29, 60, 187, 260, 272; *A* 11).<sup>25</sup> Since the goals a free-spirited higher type sets himself in light of veridical self-understanding reflect the particularities (including motives) of what makes him the particular individual he is, these are truly his own goals.

Besides setting their own ends, free-spirited higher types also *pursue* the goals they set themselves. Nietzsche says conspicuously little about which determinate projects and ends they do (or ought to) pursue, or therefore what exactly a great person’s life and activities involve. This reflects his emphasis on its being a *self-styled* life (*GS* 290) lived by individuals who think and feel ‘otherwise than would be

expected' (*HAH* 225). Nonetheless, he does offer more on the structure of such a life, when he likens it to the effective pursuit of an artist's plan: "To "give style" to one's character—a great and rare art! It is practised by those who survey all the strengths and weaknesses of their nature and fit them into an artistic plan"—immediately adding that it is 'the strong and domineering natures that enjoy their finest gaiety in such constraint and perfection under a law of their own' (*GS* 290). Developing the analogy, just as an artist creates a vision of his intended artwork and then sets about actualizing it, a person can forge a plan of (parts of) his life and set himself subsidiary ends whose achievement is instrumental to or constitutive of realizing that plan. The overall plan or project shapes and constrains the nature of the more specific activities. Nonetheless, both may be revised in light of changes to the other. (Realistically, one cannot fully determine how exactly to execute one's life project in advance of actually pursuing it; see *BGE* 188 for a further artistic analogy here.) Two further points can be made. First, fitting one's life into an artistic plan in the ways needed to effectively pursue and realize one's projects requires an 'enduring will' (*GM* II 2): an 'ongoing willing of what was once willed [...] so that between the original "I will", "I shall do", and the actual realization of the will, its enactment, a world of new and strange things, circumstances, even other acts of will may safely intervene, without causing this long chain of the will to break' (*GM* II 1). This, as Nietzsche intimates elsewhere, is not just the common ability to intend the means to one's proximal ends, but an ability to do so on a grander scale. Indeed, he writes, a 'great man [has] a long logic in all his activity... he has the ability to extend his will across great stretches of his life' (*KSA* 11: 34[96]). Second, creative higher types are characterised by a multiplicity of conflicting drives. Effectively pursuing and realizing their goals therefore requires self-mastery—a capacity to order and direct these drives into an integrated whole (see esp. *BGE* 200; *TI*, 'Skirmishes' 49; *KSA* 11: 27[59]).

Finally, it is constitutive of being a higher type that such a person actually *realizes* the goals he sets himself and pursues (*GS* 335). Given that a higher type realizes the highest excellences, this is an exceptionally demanding requirement, in at least three respects. First, realizing the highest excellences is intrinsically difficult and requires exceptional talent for one's chosen project. Second, realizing the highest excellences requires a variety of self-oriented qualities which Nietzsche frequently extols, but whose cultivation, to the degree needed to realize the highest excellences, is exceptionally difficult: an independent, self-determining will (*BGE* 29, 60; *GS* 290, 347); self-sufficiency with which to execute

one's projects for oneself (*GS* 55; *BGE* 44, 212, 260, 274, 284); the self-reverence and self-assurance needed to persevere in the face of opposition to one's (often novel and creative) projects (*GS* 287, 290, 334; *BGE* 212, 225, 260, 270, 287); and the self-discipline needed to overcome the challenges one sets oneself and to endure whatever suffering that involves (*BGE* 212, 225, 260, 270). Third, realizing Nietzschean excellence involves a near-exclusive focus on, and commitment to, one's goals, to which everything else is subordinated. Indeed, a higher type pursues his goal with a single-mindedness undistracted by anything not conducive to its realization. When discussing how artists 'obey thousandfold laws', Nietzsche emphasises that '[t]he essential thing [...] seems, to say it again, to be a protracted *obedience* in one direction' (*BGE* 188)—or, as he puts it elsewhere, 'a straight line, a goal' (*A* 1) (see also *GS* 290; *BGE* 212; *GM* II 2; *TI* 'Maxims' 44, 'Morality' 2, 'Expeditions' 49; *A* 2; *EH* II 9).

We now need to connect these ideas back to giving oneself laws. There are, I suggest, two types of Nietzschean law.

First, the projects and ends a higher type sets himself function *as* laws. When he sets himself a project, such as a life project to be a great artist, this is a law he might express to himself in imperative form thus: *I will do what is needed (or most conducive) to achieving my artistic projects*. Furthermore, insofar as he views and treats his projects and subsidiary ends as expressing an essential part of who he is, he may experience them as representing a certain form of 'practical necessity', which he may articulate in terms of the law-like formulation *I must do such and such*. (Think of someone who says 'I must do this—otherwise, I wouldn't be being me'.)<sup>26</sup> Such laws, as expressed by these 'I will' and 'I must' locutions, both govern and guide his activities. They are likely to be or become deeply internalised, given that they already reflect who he is and what he desires to become.<sup>27</sup> Indeed, a higher type wholeheartedly *commits* himself to doing whatever is involved in realizing his projects and ends.<sup>28</sup> Governing himself through these law-like commitments, he remains un-distracted by anything not conducive to their realization, including other activities and drives he may be tempted to indulge. He may therein require great self-discipline and self-mastery. And, since life projects are indeed long-term endeavours, to successfully execute them he requires an 'enduring will'.

Second, a higher type may give himself laws by imposing constraints on *how* he pursues his goals. The *content* of such constraints may be independent of the content of the projects and ends he pursues;

yet they are also partly constitutive of his realizing those goals in good style (see again *GS* 290). To take just one example, Nietzsche extols the virtue of *self-sufficiency*. The more self-sufficiently a higher type achieves his ends, without the help of others, say, or without using others as means, the more excellent he is. Perhaps, sometimes, he does need to use others as a means (see e.g. *BGE* 273; *Z* II ‘The Pitiful’; *KSA* 11: 34[96]); but doing so stains his character by showing him sub-optimally self-sufficient and hence less excellent (it reveals him as ‘lacking power’ (*GS* 13)). We can thus understand self-sufficiency as a quality partially constitutive of what it is to be an excellent individual; and it is by imposing onto himself constraints of self-sufficiency that such an individual manifests an excellence. Self-sufficiency thus functions as a (perhaps defeasible) law-like constraint on how a higher type pursues his goal-embodying laws.

This, then, is the basic account of what Nietzsche might mean by ‘laws’ and ‘giving oneself laws’. They are ‘I wills’ that guide and constrain action, often across great stretches of life, which an agent imposes upon himself by committing himself to. We now also have the beginnings of a case for thinking that such laws do not have to be universal across agents. Insofar as a law reflects the psychological particularities of the person who sets it (including the motivational particularities that form part of his identity as the person he is), and insofar as different people can have different psychological profiles (as Kant agrees they can—see again D4), the laws different people set themselves can differ. In which case, at least some laws need not be universal across agents. However, before elaborating on this it is worth warding off two doubts about the account presented so far; responding to these will also serve to further clarify Nietzsche’s challenge.

### 3.3 *Two objections*

First, it may be objected that there is little to suggest that Nietzschean laws, as connected to the projects and ends a higher type pursues, deliver *genuinely normative* (as opposed to merely descriptive) claims—claims concerning what one *ought* to do, rather than just what some people *do* do. For anyone might set themselves goals, but that doesn’t show that the goals one sets oneself are goals one ought, or has any reason, to pursue. Indeed, it is entirely conceivable that one *ought not* pursue some goals one sets oneself.<sup>29</sup> It is therefore not yet clear whether Nietzsche supplies an alternative model to Kant’s conception of

giving oneself a *normative* law. If it does not, then Nietzsche has failed to show that either D2 or the consequent of D3b is false. In which case, Kant's Derivation remains intact.

There are two ways to respond. One would be to show that Nietzschean laws deliver *true normative* claims. That, of course, would be a large task—just as it would be a significant achievement to justify any normative standpoint.<sup>30</sup> A more modest approach is to show that there is a plausible sense in which Nietzschean laws at least deliver *normative claims*, in ways that go beyond the merely descriptive thesis that higher types set and pursue goals. And this we can indeed do.

We have seen that a Nietzschean higher type realizes Nietzschean excellences. This is a constitutive thesis: part of what it is to be a fully-fledged higher type just *is* to be someone who realizes Nietzschean excellence. Note, though, that there is also an implicit normativity here, relativised at least to what it is to meet the substantive requirements of Nietzsche's perfectionism. The basic idea runs as follows: doing what is required of Nietzschean perfection requires realizing the highest values (i.e. Nietzschean excellences); higher types realize the highest values and therein do what is required of Nietzschean perfection; thus, higher types who realize the highest values do what they are required, or *ought*, to do in this respect—relative, that is, to the requirements of Nietzschean perfectionism. Although such normativity is relativised to an evaluative perspective, Nietzsche thinks this is true of all normative claims (there is no Archimedean bird's eye view on value). Whether or not one agrees with him on that, there is another important point: since, for Nietzsche, the excellences a higher type realizes represent the highest values and are therefore valuable, and since a higher type realizes these values by realizing the goals he sets himself, his realizing these goals is valuable. Thus, according to Nietzsche, higher types realize what actually is valuable and, in so doing, do what they ought. (This should obviate the worry that, if the goal one pursues is not valuable in any respect, then one ought not pursue that goal—for the goals a higher type pursues are valuable, since they embody the highest excellences.) In which case, insofar as the 'laws' a higher type gives himself specify Nietzschean 'oughts' and 'reasons', they too can be understood as normative.<sup>31</sup>

But now for a second objection: Kantians may instead suggest that these Nietzschean 'laws' are *not really laws*—because, for instance, they do not represent universal requirements applicable to all agents—and to suppose they are laws merely begs the question. As for the question-begging charge, just

assuming that laws do have to be universal returns the complement.<sup>32</sup> In which case, we may have a stand-off: Kant claims that part of what it is to be a law is for the ‘oughts’ it generates to apply universally across all agents, whereas Nietzsche denies this. This may seem to mark a *terminological* disagreement. However, it is not *merely* terminological: it also reveals a *substantive* dispute as to whether laws really do have to be universal across agents. The question, then, is whether the competing conception of a law Nietzsche presents is a legitimate conception of that concept. Here are three sets of reasons for thinking it is, each of which Kantians should agree with.

First, Nietzschean laws can govern and constrain conduct in a systemic and systematic way. They are not momentary or fleeting whims or inclinations but structure the projects one pursues, and how one pursues them, across great stretches of one’s life.

Second, these demands represent deep-seated, whole-hearted *commitments*. Higher types commit themselves to projects and ends; they do not eschew their goals or shirk from them when the going gets tough. From their own first-personal perspective, these goals, once committed to, are not readily escapable but *must*—as a matter of personal honour—be, well, honoured. In that respect, such commitments function as laws. Furthermore, as noted, one may experience the pull of one’s commitments with the force of *practical necessity*. Kant himself suggests that rational agents experience the demands of the moral law as practically necessary, since they comprise rational demands that rational agents recognise as such. The Nietzschean counterpart is that a higher type experiences his goals and laws as practically necessary, given that these are constitutive of his own identity as the agent he is and represent demands to perfect himself. Nonetheless, since the goals and laws a higher type experiences as practically necessary emerge from his own unique identity, such laws need have no universal character.

Third, although Nietzschean laws are not universal across agents, they can be universal in another sense. There is nothing in the Nietzschean conception presented that precludes what is often labelled the *universality* or *universalisability* of ‘oughts’ (or ‘reasons’), such that:

- (U) If the fact that  $p$  makes it the case that A ought to  $\phi$  in circumstance C, then: for any agent x, if x were in C, that  $p$  would make it the case that x ought to  $\phi$

Similarly:



(L) If L is a law specifying that A ought to  $\phi$  in C, then: for any x, if x were in C, L specifies that x ought to  $\phi$ <sup>33</sup>

(U) and (L) are purely formal theses. The domain of ‘x’ could be empty, or it could include just  $\mathcal{A}$ , or it could include others too—depending on how we specify ‘x’ and ‘C’. Plausibly, though, if being in C involves being in a position to  $\phi$ , where few people are or could be in that position (because, say,  $\phi$ ing involves realizing some project embodying excellence that few are able to realize), then, although such laws and ‘oughts’ are universal across the agents to whom they apply, they need not apply to all agents. In other words, there is nothing to preclude the *form* of Nietzschean laws being universal—even if their *scope* or jurisdiction is restricted to higher types. As a result, Nietzsche need not deny the thesis that practical normative laws are universal in form—a thesis Kant not only accepts but that he may conflate with (or erroneously take to entail) the rather different idea that such laws are universal in scope.<sup>34</sup> So what they disagree on is how universal the domain of agents to whom practical normative laws apply actually is. I’ll explore this disagreement further in the next section. But let’s first take stock by summarising the arguments of §3.

We now have a case for thinking that there can be practical normative laws that do not have to be universal across all agents. Only higher types are capable of realizing the highest excellences. It is therefore only higher types who ought to realize the highest excellences (given an ‘*ought implies can*’ thesis). Higher types set their own goals. Pursuing these goals involves giving themselves laws. But the ‘oughts’ which these goals and laws specify, as connected to realizing the highest excellences, apply only to higher types. In which case, these laws are *not universal* across agents.

This completes the initial Nietzschean case for thinking that practical normative laws do not *have to be* universal across all agents. The immediate implications are twofold. First, by denying D2 Nietzsche can block the arguments Kant supplies in his Derivation for the conclusion that all practical normative laws necessarily apply to (by entailing ‘oughts’ for) everyone.<sup>35</sup> Second, granting that there can be non-universal practical normative laws, the important question now arises as to whether *any* practical normative laws are universal across agents. Kant of course wants to say there are such laws—and that these specify moral duties applying to all rational agents, including Nietzschean higher types, irrespective of their motives. So even if Nietzsche has shown that *some* practical normative laws are *not* universal

across agents, he still needs a convincing argument for denying the further thesis that there are also some laws (specifying moral duties) which *are* universal across agents. This is the topic of §4.

#### 4. Nietzsche versus Kant on moral psychology

We can separate two general lines of Kantian argument for the conclusion that moral duties are both categorical and universal across agents.

The first general argument draws upon what it is to be a *rational agent*. Moral duties, according to Kant, are requirements of rationality. Since it is constitutive of being a rational agent that any such agent is capable of recognising the demands of rationality, any rational agent is capable of recognising moral duties. Furthermore, rational agents are capable of recognising moral duties whatever their contingent subjective motives. That is because requirements of rationality can be revealed through, as the conclusions of, rational deliberation (or practical reasoning) which is *pure*: the content of such deliberations does not depend on (it need neither start from, nor otherwise engage or be influenced by) one's contingent subjective motives. And, since it is constitutive of being a rational agent that any such agent is capable of recognising rational-moral requirements, any such agent must be capable of the kinds of (pure) rational deliberation this involves. In that case, if Nietzschean higher types are rational agents they are capable of recognising the demands of morality as demands and are therefore bound by them.

Much more can be said about how precisely this line of thought might work. But one important point is that Nietzsche provides various resources that may help systematically block it. Consider two common approaches to filling it out. One approach (see e.g. Korsgaard 1986) begins with Kant's suggestion (e.g. *G* 401) that it is constitutive of being a rational agent that one reveres what is rational. It then claims that, since the Categorical Imperative is the supreme law of practical rationality, reverence for the Categorical Imperative is (necessarily) a motive every rational agent possesses. Hence, any rational agent is capable of recognising and being moved by the Categorical Imperative—which, for Kant at least, implies that every rational agent is capable of recognising and being moved by morality's demands. Nietzscheans, in response, might urge that this presupposes a very particular, substantive conception of rational agency—one that cannot be merely assumed.<sup>36</sup> They might argue that it is just one conception of rationality amongst others—and then, perhaps drawing upon Nietzsche's claim that 'the noble soul has

reverence for itself' (*BGE* 287; cf. *GS* 287, 290, 334), urge that the rationality involved in being a higher type involves revering oneself as someone whose agency is effective in realizing the *perfectionist* goals constitutively bound up with the particular motives that represent his own individuality. In which case, Nietzscheans may conclude, the thesis that every 'rational' agent reveres the Categorical Imperative and/or Kantian *moral* law is false. A second approach (to filling in the first general Kantian argument) is to show that anyone capable of instrumentally rational deliberation is either capable of, or otherwise committed to, the sorts of deliberative process that yield the demands of morality—because, for instance, instrumentally rational deliberation delivers conclusions one can recognise as normative only insofar as the ends it prescribes are normatively permissible by some independent criterion, i.e. the Categorical Imperative (see Korsgaard 1997). The Nietzschean retort would again be to question why, even if instrumental rationality were to commit one to a wider non-instrumental normative picture, that normative picture must be the Kantian moral one, rather than, say, a Nietzschean perfectionist one.

Thus Nietzscheans can make structurally similar moves to the moves Kantians make when pressing the conception of rationality they do. The success of these strategies, both for and against the Kantian approach, will of course turn on the details of specific arguments. Such details are too wide-ranging to address adequately here. So, in the remainder of the chapter I'll instead focus on a second general Kantian line of argument that Nietzsche opposes: that concerning autonomy.

In the second and third chapters of the *Groundwork*, Kant seeks to justify morality by showing that we are all committed to there being moral duties of the form assumed in the Derivation. I'll call this Kant's 'Justification'. Similar claims to D2 and D3 feature in it, but they are now supported by a range of additional conceptual resources—concerning, most notably, what is involved in being a *rationaly autonomous* agent: someone whose will 'has the property [...] of being a law to itself' by giving itself laws. This Justification via rational autonomy can be partially reconstructed as follows (see esp. *G* 446–8, also 440; and *CPrR* 5: 20–50, 5: 57–66):

[1] (a) An autonomous agent is capable of freely willing how to act, such that (b) if A is autonomous, A is capable of freely willing how to act.

[2] All occurrences, acts included, are governed by laws.

[J3] (a) A free act exemplifying autonomous agency must therefore be governed by laws—such that  
 (b) if there are free acts exemplifying autonomous agency, these are governed by laws.

[J4] Acts governed by laws of nature are determined by causes prior, and external, to one's will (for example, by one's contingent subjective motives).

[J5] So, free acts exemplifying autonomous agency must be governed, not by laws of nature, but by laws one gives oneself—that is, by one's own will, which is pure and stands apart from the natural order.

[J6] Therefore, insofar as we are free we act on laws that we freely will—and that we freely give ourselves, which is what autonomy consists in.

[J7] Laws apply universally.

[J8] So, a practical law must apply universally.

[J9] A universally applicable practical law applies to every rational agent capable of willing, by being a law that every rational agent could and ought to act in accordance with—a law represented by the Categorical Imperative.

[J10] Thus, the Categorical Imperative is a law we give to and legislate for ourselves, but a law which applies to every rational agent.<sup>37</sup>

Kant's conclusion rests, ultimately, on the assumptions that as autonomous agents we are indeed free and that such freedom involves a capacity to determine ourselves by willing in ways that are not solely determined by natural causes. Theoretical reason may not be able to decisively prove that we are, or are not, free. It may therefore appear that morality rests on something we cannot definitively prove, at least from the third-person perspective of theoretical reason. Nevertheless, if we are free then (given further theses about autonomy) morality is justified. Moreover, and crucially, from a *first-personal perspective* we do implicitly regard ourselves as free—and, *qua agents*, cannot but do so. Thus, from a practical point of view at least, morality follows (G 448).

J8 and its particular application through J9 are corollaries to D2 and D3 respectively, but now set within the wider context of Kant's conceptual system. Whereas the Nietzschean arguments of §3 may have purchase against the assumption represented through D2 and D3 that all practical normative laws are universal across agents, once these claims about autonomy are in place the Kantian project as

represented now through J8 and J9 gathers additional muster. So Nietzsche needs to tackle these wider claims about autonomy. I won't be able to show here that he does decisively dismiss the Kantian picture; but I'll instead try to show, more modestly, *how* he opposes it, and thus where this battle between Kant and Nietzsche lies. To do so, I'll turn to Nietzsche's views in and about moral psychology. In short, Nietzsche denies that practical deliberation can be *pure* (which Kant thinks it must be if a person is to govern himself autonomously). He thereby denies Kant's conception of autonomy and thus Kant's path to the conclusion that autonomy involves giving or setting oneself a law that applies universally across all rational agents (i.e. the Categorical Imperative).<sup>38</sup>

Nietzsche's opposition to the purity of reason is palpable. To cite just one passage, he writes: 'Let us beware of the dangerous old conceptual fable which posited a "pure, will-less, painless, knowing subject", let us beware of the tentacles of such contradictory concepts as "pure reason"... to eliminate the will completely, to suspend the feelings altogether, even assuming that we could do so: what? Would this not amount to the *castration* of the intellect?' (*GM* III 12) Here and elsewhere, Nietzsche suggests that reasoning and its conclusions (both practical and theoretical) cannot be pure, in part because reasoning itself depends on (amongst other things, and in various ways I'll return to) our affects or feelings.<sup>39</sup> In fact, he often suggests that what we label 'the will' is really just a composite of, and no more than, a range of affective and motivational items and the relations between them (see e.g. *D* 109; *BGE* 6, 12, 17, 19, 36; *TI* 'Reason in Philosophy' 5). Here, though, I am going to put to one side the many questions, interpretative and philosophical, that arise concerning the exact nature of 'the will' as Nietzsche conceives of it and its relation to the more particular psychological items that wholly or partly compose it.<sup>40</sup> For the view I shall attribute to Nietzsche can run independently of these big metaphysical issues—granting at least, as Nietzsche does, that there is no will separate from the natural order.

The view I have in mind is that there is an intimate connection between the contents of a person's normative-evaluative judgements and his motives. Let's start with some textual markers:

In the philosopher, on the contrary, there is nothing impersonal; and above all, his morality bears decided testimony to who he is—that is to say, to the order of rank the innermost drives of his nature stand in. (*BGE* 6)

moralties too are only a *sign-language of the emotions*. (*BGE* 187)

Exactly which group of sensations are awakened, begin to speak, issue commands most quickly within a soul, is decisive for the whole order of rank of its values *and ultimately determines its table of desiderata*. (BGE 268; *my emphasis*)

Your judgement ‘this is right’ has a pre-history in your instincts, likes, dislikes, experiences... Your understanding *of the manner in which your moral judgements have originated* would spoil these grand words for you.—And don’t cite the categorical imperative, my friend... (GS 335)

Passion is degraded... as if it were only in unseemly cases, and not *necessarily and always, the motive force...*

The misunderstanding of passion and reason, *as if the latter were an independent entity and not rather a system of relations between various passions and desires*. (KSA 13: 11[310]; *my emphases*)

There are many questions concerning how exactly to interpret such passages.<sup>41</sup> Nonetheless, taken together they mount a collective case for attributing to Nietzsche what we might call a ‘sentimentalist’ view about the ways in which our affective-cum-motivational repertoire antecedently shape, constrain and influence our normative-evaluative commitments and judgements (a view attributable to a range of British sentimentalists, including Hume, but also to Schopenhauer, whose anti-Kantian moral psychology, it is plausible to maintain, deeply influenced Nietzsche). Thus stated, the view is rather inexact. But we can work it up into something a little more precise by way of three sets of points.

First, Nietzsche invokes a wide range of items that contribute to a person’s affective-cum-motivational repertoire—including what he variously labels ‘drives’ (*Triebe*), ‘affects’ (*Affekte*), ‘desires’ (*Begierden*), ‘instincts’ (*Instinkte*), ‘passions’ (*Leidenschaften*), ‘feelings’ (*Gefühlen*), and ‘tastes’ (*Geschmäcker*), all of which he thinks may be conscious or unconscious. For ease of exposition, I’ll use the blanket term ‘motive’ to cover all, or any, of these. A motive, thus construed, can be understood as any such psychological item that either motivates an agent or that could contribute to the agent’s being motivated to act. As well as the items already listed, these can include whatever aims, ends, interests and evaluative commitments the agent has—including (a) *occurrently* motivating states, (b) *background* or standing motivations, i.e. items that can motivate even if not doing so occurrently, and (c) any *dispositions* of character, evaluation and emotion that shape the kind of person one is and how one could be motivated to act.<sup>42</sup>

Second, according to the sentimentalist view the contents of the normative judgements we do make, and that we are able to make, are shaped, constrained and necessarily influenced by our *existing* motives.

Third, since we are concerned with Kant let's focus on the normative judgements we make as conclusions of practical deliberation or reasoning. We can here construe practical deliberation broadly to encompass deliberation about what to do and what one ought (or has reason) to do, and just assume that the outcome of practical deliberation, when it yields a definite action-directed conclusion, is or involves some disposition *to act*. This could be a sincere normative judgment, pro-attitude, intention, or motivating state. According to the sentimentalist view, first-personal practical deliberation—those processes that constitutively aim at, or at least conclude in, a verdict about what to do or what one ought (or has reason) to do, where that conclusion-state involves some disposition to act—must either start from or otherwise engage something the agent already cares about, given his antecedent motives. The thought, roughly expressed, is that an agent's normative judgements and motivations do not arise *ex nihilo*, but rather emerge from (what Kant would regard as) the agent's (contingent, subjective) motives. The actions such conclusions recommend must speak to or serve the agent's antecedent motives if they are to dispose him to act. In turn, the considerations an agent is able to recognise as reasons and be moved by are shaped and constrained by his (contingent, subjective) motives. One implication is that, if A lacks any such motive that would be served by  $\phi$ ing, A will be unable to recognise any reason to  $\phi$ . As ever, there are complications, but they need not detain us here. We can summarise this sentimentalist thesis thus:

(Sentimentalist Thesis) The contents of the normative conclusions A is able to reach and be motivated by are shaped, constrained and influenced by A's antecedent motives—such that: A is able to recognise that  $p$  gives him a reason (or makes it the case that he ought) to  $\phi$  only if A has some motive which would be served by his  $\phi$ ing for the reason that  $p$ <sup>43</sup>

The immediate import of this Sentimentalist Thesis is twofold.

First, it entails the denial of Kant's moral psychological picture. For, if practical deliberation really is to conclude in something that could motivate us to act, its premises must start from or otherwise engage our (contingent, subjective) motives—i.e., they must speak to, and hence be influenced by, some antecedent disposition to so act. It follows that the conclusions of practical deliberation are not pure—

and that nobody is capable of the kind of autonomy upon which the Justification depends. Second, the Sentimentalist Thesis implies that who is able to recognise and be moved by the demands of morality will depend on who has suitably moral motives. For Kant, being able to recognise the demands of morality as demands is a necessary condition of having moral duties. Yet, according to the Sentimentalist Thesis, those lacking suitably moral motives—Nietzsche’s higher types perhaps included—will be unable to appreciate relevant moral considerations and will thereby fall outside the scope of the moral duties these supposedly generate. Thus, suppose (as Kant himself maintains) that an agent ought to do what he has a moral duty to do only if he is *able to recognise* that he ought to do it. Combining that thought with the Sentimentalist Thesis implies that moral duties are not categorical—since one ought to do what morality demands only if one has some motive which would be served by so acting.

Note, though, that we can say all this, and hence frame Nietzsche’s opposition to Kant, *without* having to first resolve ongoing interpretative (or attending philosophical) controversies regarding Nietzsche’s conception of the metaphysical status of either the self or free will. (For the Sentimentalist Thesis, as far as I see, is compatible with all the main readings of Nietzsche on both scores.) And that, I think, is a virtue of the account, given the perennial difficulties wrought by those wider issues.

All this is of course conditional on the Sentimentalist Thesis itself being defensible. Here I have only been teasing out some of its implications, rather than arguing for it.<sup>44</sup> However, even if the Sentimentalist Thesis is plausible, Kantians may object to the *way* I’ve used it. For, they may observe, it provides a theoretical or third-personal account of the way practical deliberation works. As such, it does not touch on the phenomenology of practical deliberation or agency more generally—that is to say, the actual experience, from a first-person perspective, of ourselves as agents. They may then insist that, not only might the Sentimentalist Thesis ring false phenomenologically, it fails to address the important point that, *qua agents*, we cannot but help regard ourselves as capable of the sorts of willing constitutive of autonomy or freedom in Kant’s sense. And since it is from this first-personal perspective that we are committed to morality, even if the Sentimentalist Thesis were true it does nothing to undermine our commitment to morality *qua* the kind of agents we are committed to viewing ourselves as.

One line of response, drawing upon ideas Nietzsche himself indicates (e.g. *D* 109, 116, 119; *BGE* 19; *TI* ‘Errors’), is to say that our experience of willing is not a reliable guide to what willing actually



involves—and, moreover, that conceiving of ourselves in the ways we do leads us to misunderstand ourselves as agents, where this misunderstanding is both caused by and perpetuates a range of the errors Nietzsche thinks are involved in morality. This, however, might just beg the question against the Kantian objection. For the claim that our experience of willing is an unreliable guide to what willing *actually* involves relies on a *third-person perspective* as to what willing actually involves.<sup>45</sup>

There is, however, a dialectically less contentious strategy—namely, to question whether we (or at least whether *free-spirited higher types*), even if committed to regarding ourselves (or themselves) as free and autonomous (in some sense), are also therein committed to willing laws to which all agents are subject. Two thoughts are particularly salient. First, a free-spirited higher type *would regard himself as free*—but free to set the laws and goals he sets himself with no further commitment to thinking these are also laws or goals for others. In fact, many of Nietzsche’s descriptions of such types are couched *within* the first-personal perspective of agents who do just this. To offer just two prime examples (note throughout the first- and second-personal conjugations):

Signs of nobility: never to think of degrading our duties into duties for everybody; not to want to relinquish or share our own responsibilities; to count our privileges and the exercising of them among our *duties*. (BGE 272)

For it is selfish to experience one’s own judgement as a universal law... it betrays that you have not yet discovered yourself nor created yourself an ideal of your own, your very own... Anyone who still judges ‘in this case everybody would have to act like this’ has not yet taken five steps towards self-knowledge... Let us therefore *limit* ourselves to the purification of our opinions and valuations and to the *creation of our new tables of what is good*... We, however, *want to become those we are*—human beings who are new, unique, incomparable, who give themselves laws, who create themselves. (GS 335)

Second, recall the notion of *practical necessity*, as conveyed by locutions like ‘I must’. In contrast to Kant’s conception (focused on the rational necessity of doing one’s moral duty), the Nietzschean counterpart springs from the particular motives constitutive of and essential to one’s identity as the specific individual one is. These ‘I musts’ represent identity-conferring commitments, even laws. Indeed, the agent may *experience* them as laws in ways analogous to how Kant claims that rational agents *experience* the demands of morality as demands upon their rational agency as such—that is, in a first-personal way. Yet, because

these Nietzschean ‘I musts’ are inextricably bound up with the motives constitutive of and essential to one’s being the person one is, where such motives certainly need not be motives others have, there need be no hint of the kinds of universality Kant attributes to (experience of) the moral law.<sup>46</sup> Indeed, it is precisely this form of practical necessity that I earlier suggested characterises the activities of Nietzsche’s free-spirited higher types.

Putting these two points together puts serious pressure on the Kantian suggestion that free-spirited higher types are committed to morality by dint of regarding themselves as autonomous agents. For they can and do regard themselves as agents, governed by laws they give themselves. Yet since the laws a free-spirited higher type gives himself may be experienced by him as laws for himself and only himself, where these are in turn bound up with the motives he experiences as constitutive of his identity, experiencing himself as an agent in no way commits him to willing laws for all (or even for any other) agents. In short, then, according to the Nietzschean picture: experiencing oneself as an autonomous agent who gives oneself laws does not commit one to morality or to experiencing morality’s supposed laws as binding. If this Nietzschean picture is plausible, the thesis central to Kant’s first-personal justification of morality—that regarding oneself as autonomous thereby commits one to morality—fails.

## 5. Concluding remarks

The main arguments of this chapter have been, firstly, that Nietzsche has a well-motivated case for denying that *all* practical normative laws are universal across agents (§3), and, secondly, that if he can deny the purity of practical reason then he has a strong case for denying that *any* practical normative laws are binding on all rationally autonomous beings (§4). This second conclusion is conditional. Nonetheless, I’ve shown how we can oppose Kantian purity without having to first resolve ongoing disputes concerning Nietzsche’s views about the metaphysical status of the will and freedom. Furthermore, I’ve shown that Nietzsche’s denial of Kantian purity can be defended without begging the question against first-personal readings of Kant. By way of conclusion, I’ll briefly tease out one final implication.

I’ve suggested that (1) a higher type sets his own goals, (2) he ought to pursue the goals he sets himself, and (3) one’s normative judgements are necessarily shaped and constrained by one’s motives (the Sentimentalist Thesis). From these three theses we can deduce the following claim: that what a higher

type ought to do is shaped and constrained by his motives—such that a higher type ought (or has a reason) to  $\phi$  only if he has some motive which would be served by his  $\phi$ ing. This is an application of a view that in contemporary jargon is often labelled *reasons internalism*.<sup>47</sup> And it sits rather nicely with a wide range of things Nietzsche wants to say:

- It opposes Kant's (as well as any other) view according to which moral 'oughts' are categorical and universal, and hence normatively authoritative.
- It thereby allows Nietzsche to be an error theorist about any conception of morality committed to there being categorical universal moral duties, whilst also advancing positive normative claims of his own (namely, those satisfying the internalist condition).
- It suits his broadly naturalistic approach to normativity, as underpinned by the sentimentalist moral psychology.
- Insofar as (1)–(3) apply to people generally and not just higher types, it accommodates interpersonal variation in reasons in accordance with variations in people's motives. As a result, it licenses the idea that many people ought to comply with morality, insofar as they have suitably moral motives, even though higher types have rather different reasons.
- It also allows that those of Nietzsche's readers unable to recognise the value of alternative ideals to morality will be unable, given the sentimentalist thesis, to appreciate any reason to do so and may therefore have no reason to engage in a process of reevaluating their values.

Finally, and more positively, it sits nicely with various aspects of Nietzsche's perfectionism:

- It offers a way to make sense of Nietzsche's claim that 'each one of us should devise his *own* categorical imperatives' (A 11). Insofar as the 'us' is restricted in scope to those capable of doing so, it calls upon a higher type to determine and set his own goals in light of the kind of person he is as embodied in his motives.
- Furthermore, higher types, because not categorically required to comply with morality, are at liberty to pursue the projects embodying excellence they set themselves.

- And it is in virtue of having the excellence-directed motives they do that higher types, who undertake the self-assessments necessary for understanding themselves, may flourish by realizing the excellences they set themselves in light of their motives.

This, of course, is neither an argument for internalism nor a detailed argument for an internalist reading of Nietzsche.<sup>48</sup> Nonetheless, in the context of Nietzsche's engagement with Kant on the topic of normativity, it suggests a further and important point of contrast.<sup>49</sup>

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*D*: *Daybreak* [1881], trans. R. J. Hollingdale, ed. M. Clark & B. Leiter, Cambridge: Cambridge University Press (1987).

*GS*: *The Gay Science* [1882/7], trans. W. Kaufmann, New York: Vintage Books (1974).

*Z*: *Thus Spoke Zarathustra* [1883/4/5], trans. R.J. Hollingdale, London: Penguin Books (1969).

*BGE*: *Beyond Good and Evil* [1886], trans. R.J. Hollingdale, London: Penguin Books (1990).

*GM*: *On the Genealogy of Morals* [1887], trans. D. Smith, Oxford: Oxford University Press (1996).

*TI*: *Twilight of the Idols* [1888], trans. R.J. Hollingdale, London: Penguin Books (1990).

*A*: *The Antichrist* [1888], trans. R.J. Hollingdale, London: Penguin Books (1990).

*EH*: *Ecce Homo* [1888], trans. D. Large, Oxford: Oxford University Press (2007).

*KSA*: *Sämtliche Werke, Kritische Studienausgabe in 15 Bänden*, herausgegeben von G. Colli und M. Montinari, Berlin: Walter de Gruyter (1967–77).

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*G*: *Groundwork of the Metaphysics of Morals* [1785]: translated by H.J. Paton as *The Moral Law: Groundwork of the Metaphysics of Morals*. London: Routledge (1948).

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<sup>1</sup> Extant treatments, covering some points of contact, include Williams 1999; Hill 2003 Ch.7; Risse 2007; Owen 2009; Katsafanas 2014.

<sup>2</sup> Capitalisations pick out Kant's supreme principle of morality; lower case variants denote *oughts* that are putatively categorical in a sense explained shortly.

<sup>3</sup> For more detail on the structure and content of Nietzsche's ethical revaluation, plus attending interpretative and philosophical issues, see Robertson 2009a.

<sup>4</sup> Nietzsche has a number of epithets for his 'ideal type' (*EH* III 1): 'free spirit' (e.g. *HAH* P2–7, 225; *GS* 347; *BGE* Ch. 2), 'higher type' (e.g., *BGE* 62; *A* 4; *EH* III 1, IV 4), 'noble' person (*GS* 55; *BGE* Ch. 9, 287), 'great' individual (*BGE* 72,0 212, 269), arguably also 'Übermensch' (*Z* P3; *A* 4; *EH* IV 5). It is unclear whether he uses these labels to represent one generic ideal type. However, any differences between them will not affect the arguments to follow; and I will just speak interchangeably of 'free spirits' and 'higher types'. For further detail on higher types and normativity, see §§2–4 and Robertson 2011a. References to Nietzsche are given according to the standard acronyms, as listed in the Reference section. Translations from *KS A* are partly my own, though I have consulted Kaufmann's translations when these are available.

<sup>5</sup> On how Nietzsche's objection might run, see Leiter 2001; Robertson 2011b.

<sup>6</sup> Nietzsche's goal is ultimately practical: to liberate higher types from morality. Some commentators (e.g. Leiter 2001) suggest that his critical target is primarily, or even only, the moralised *culture* we actually inhabit, rather than moral *theory* as such. But this is misconceived. First, Nietzsche does explicitly target particular moral theories—at least in part because he views these theories, Kant's included, as attempts to systematise and justify the moral norms, values, duties and ideals we ordinarily take as givens in the moralised culture we inhabit. Second, if moral theory were to exonerate the ideals Nietzsche objects to—by showing, for instance, that they do possess the value and justification traditionally claimed for them—there would remain little vindication for the tirades he launches against morality or the cultural ethos it informs. Nietzsche must therefore engage with moral theory if his practical goal is to withstand critical scrutiny.

<sup>7</sup> For extended defence of this interpretative claim, see Robertson 2012.

<sup>8</sup> See the essays in Gemes and May 2009, and also Anderson 2012.

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<sup>9</sup> Contemporary Kantians disagree over whether to prioritise the third- or first-person perspective in Kant's justification of morality. Those who prioritise the former see transcendental freedom as an indispensable commitment without which the justification of morality fails (as did Kant in the *Critique of Practical Reason*, as well, arguably, as in the *Groundwork*; see e.g. Allison 1996). First-personal Kantians instead reconstruct Kant's moral project without it (e.g. Hill 1985; Korsgaard, 1996, 1997, 2009; Brink 1997). My main target in §4 is 'first-personal Kant', in part to avoid wide-ranging issues about transcendental freedom (and Nietzsche's denial of it), but also to engage with contemporary neo-Kantians who believe that morality can be justified without it. This focus is reflected in my presentation of the Derivation and Justification in §§2&4.

<sup>10</sup> (a) References to Kant use usual acronyms, as again cited in the Reference section; pagination follows the Prussian *Akademie* version. (b) The many nuances lying beneath the argument as reconstructed here remain matters of interpretative dispute (cf. e.g. Allison 1996; Korsgaard 1996; Potter 1998; Wood 1999: 42-59; Timmermann 2007: 25-46). Nonetheless, the following should suffice for the dual purposes of outlining the overall shape of the Derivation and locating Nietzsche's contention with it. (Note also that different commentators use 'derivation' to refer to different arguments Kant presents in *G* I and/or II, including (though not only) the one outlined here.) (c) A similarly structured argument containing the same basic ingredients occurs in *CPrR* (Book I, Part I, Chapter I: pp. 5: 19–58) 'The analytic of pure practical reason', a work Nietzsche may have been more familiar with. I here refer to *G*, however, in part for the expository purpose of avoiding the dialectical complications introduced by the way the *Critique* embeds *pure* practical reason into the argument from the outset—complications it will be easier to deal with separately (in §4).

<sup>11</sup> As Wiggins (1995: 298) notes, the term 'apply' is remarkably slippery. Here, to say that a practical normative law or duty *applies* to you implies that you *ought to comply* with it (e.g. by doing what it specifies).

<sup>12</sup> Kant's fuller story here emerges from his 'second proposition' about the motive of duty, according to which an 'action done from duty has its moral worth, *not in the purpose* to be attained by it, but in the maxim according to which it is decided upon' (*G* 399). He argues: A good will is good in itself, not in virtue of the ends external to it at which it aims (*G* 393-4; 397; 401); the good will must therefore be determined by some internal principle (*G* 400). The will acts on maxims (subjective principles) it gives

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itself (*G* 400). Acting from duty does not consist in acting on subjective motives but, rather, consists in acting on objective principles—i.e. laws. Maxims represent objective laws insofar as everyone could act on them (*G* 400n); and objective laws apply to all agents, irrespective of any particular agent’s subjective motives.

<sup>13</sup> The fuller story: A rational agent acts on (is motivated by) a rational law; such a law is an object of reverence, since a rational agent reveres what is rational (*G* 400, 401); thus the motive of duty involves acting out of reverence for the law (this is Kant’s ‘third proposition’ about the motive of duty) (*G* 400). And a rational law is a law that could be rationally willed, i.e. without contradiction or otherwise undermining rational agency.

<sup>14</sup> As noted in §1, Nietzsche must deny D2 in order to allow that free-spirited higher types whose excellence and flourishing morality thwarts ought not comply with morality. One way he sometimes denies it is by denying that there really are laws of nature (e.g. *BGE* 21, 22; *GS* 109). The argument I reconstruct, concerning practical normative laws, does *not* rely on this.

<sup>15</sup> Or at least all *rational* beings. That practical laws apply to, and only to, *rational agents* is of course crucial in Kant’s moral theory. For the purposes of this section, however, I assume a rather more minimal conception of rational agency than Kant’s, to the effect that agents (free-spirited higher types included) are (a) sensitive to a range of normatively significant features of their situations, and (b) instrumentally rational (this can go beyond a narrow means-end satisfaction model). Since Kant would accept both conditions, this does not beg the question. Nonetheless, Kant (or at least some neo-Kantians, e.g. Korsgaard 1997) thinks that anyone satisfying both conditions must be rational in a stronger sense, namely, that one is thereby capable of appreciating the demands of morality. I postpone discussion of these wider issues until §4, for the initial aim is to cast doubt on an earlier step in Kant’s Derivation (at which point, arguably, he cannot in *G* just assume this stronger notion of rationality): the presumption that all practical normative laws are universal.

<sup>16</sup> I do not mean to siphon off the normative from the evaluative completely. There are many controversies about how they connect (see Robertson 2009b: 5-12); but it is necessary to make some preliminary stipulations. First, I’ve introduced the normative realm via the normative concepts *ought* and *a reason*. I’ll be focusing mostly on ‘oughts’, though will sometimes have recourse to ‘reasons’. ‘Oughts’ can

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here be understood as specifying conclusive or overriding requirements on action, whereas ‘reasons’ (in the *pro tanto* sense) can favour actions to some (though not necessarily conclusive) degree. I’ll nonetheless assume that *oughts* entail *reasons*, such that ‘if A ought to  $\phi$ , there is a reason for A to  $\phi$ ’. Second, value claims don’t uniformly entail (atomic, non-counterfactual) practical normative claims: it does not follow from the fact that A’s  $\phi$ ing would be good that A has any reason to  $\phi$ . To take one Nietzschean thought: even if A’s  $\phi$ ing would be extremely valuable in virtue of realizing some excellence, if A is incapable of  $\phi$ ing there may be no reason for A to  $\phi$ . Nevertheless, and third, I do not rule out the possibility that ‘oughts’ and ‘reasons’ are partly value-dependent (see below and Robertson forthcoming Ch.10).

<sup>17</sup> Versions of this doubt have been put to me in conversation by Chris Janaway, Alexander Nehamas and Henry Staten; see also Railton 2012.

<sup>18</sup> It is contestable whether ‘a reason’, denoting a normative item, has an exact German equivalent—which may tell against the idea that Nietzsche has a view about ‘reasons’. Perhaps the closest German expression is ‘*Gründe*’, which, like ‘reason’, exhibits considerable fluidity. Nonetheless, Nietzsche does employ a concept rather like that of a *pro tanto normative reason*. He agrees, for instance, that there can simultaneously be various ‘Fors’ and ‘Againsts’, and that one can have ‘one’s pros and contra *in one’s power*’ and impose a ‘*rank ordering*’ on them (HH P6; GM III 12). So I see scant textual evidence to think that he would deny the currency of reasons, given that he appears to accept that a person can simultaneously have many reasons favouring different actions, not all of which need be conclusively favoured.

<sup>19</sup> See again Robertson 2011a for extended articulation and defence.

<sup>20</sup> Kant himself claims that ‘all imperatives are expressed [or are at least expressible] by an “*ought*”’ (G 413). It is a matter of dispute whether he thinks that hypothetical imperatives really are normative; but I’ll assume that, insofar as the ends they are directed to are ends worth realizing, they can be.

<sup>21</sup> The following is only a partial sketch. I offer significantly more detail elsewhere: Robertson 2011b focuses on external achievements embodying excellence, whereas Robertson 2011a connects realizing one’s ends to Nietzsche’s conception of flourishing and becoming what one is. Robertson forthcoming Chs.10–11 show how the two connect: a higher type flourishes *by* realizing the goals embodying excellence he sets himself.

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<sup>22</sup> There are several German words aptly translated ‘flourishing’, including ‘*Gedeihen*’ and ‘*Aufblühen*’. Although Nietzsche uses these terms relatively sparingly in his published works (salient passages include *WB* 11; *GS* 1, 347; *GM* P3, II 10, II 12, III 11, III 19; *EH* F2, IV 7), his frequent discussions of *health* [*Gesundheit*] accord with what we may more ordinarily think of as *flourishing*. For more detail, see Robertson forthcoming Ch.10.

<sup>23</sup> (a) This is important when it comes to giving oneself laws. Kantians may urge that the laws a Nietzschean higher type gives himself are in a sense *arbitrary*, since they depend on contingent elements in his psychological makeup rather than features of rational agency as such. However, as Williams (e.g. 1981a) amongst others argues, insofar as our ground projects emerge from and serve deep psychological facts about ourselves (including those desires constitutive of our identity as the particular individuals we are), the ends we ought to pursue depend on facts about who we are (see also §3.3 and §4). And, because these facts form part of our very identity *qua* the particular persons we are, the project-related ‘oughts’ we set in light of them can be rather less arbitrary than some Kantians sometimes allege. (b) Appealing to agential motives here does not beg the question against Kant. For, firstly, although Kant may think that one’s true self consists in a rational self aside from one’s subjective desires, he does accept that an individual is partly comprised by a range of desirous elements. Thus, someone who understands himself would understand the role these play in his own psychological economy. Plus, secondly, the discussion in *this* section is not denying that there could be laws given by a rational self common to all rational beings; rather, it is making a case for thinking there could be at least *some* laws *not* like this.

<sup>24</sup> At *D* 9 Nietzsche suggests that modern morality, even in its Kantian incarnation, is little more than a refined version of the ethic of custom (*Sittlichkeit*) that the herdlike continue to obey. See also *BGE* 187.

<sup>25</sup> Deploying a distinctively Kantian phrase in a distinctively non-Kantian way, Nietzsche notoriously describes as ‘autonomous’ a person who (i) possesses ‘his own independent, enduring will’ and (ii) ‘resembles no one but himself’ (*GM* II 2). The passage this occurs in remains subject to intense scholarly dispute, so I don’t want to read too much into it here. What I say is consistent with the fairly minimal assumption that the autonomous ‘sovereign individual’ Nietzsche discusses at *GM* II 2 need not represent his fully-fledged view of agency, even if conditions (i) and (ii) represent two of its central (perhaps necessary) features.

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<sup>26</sup> On practical necessity, see esp. Williams 1981c, 1993, and, in the context of Nietzsche, Clark 2001 and Owen 2007. David Owen has been pressing on me its significance for some time, and I return to it at several points later.

<sup>27</sup> The internalisation of various laws or I will's plays a significant role in the naturalized accounts of moral formation Nietzsche gives in *GM* (e.g. Essay II 1, 3). It also plays a central role in many contemporary deontological, consequentialist and Aristotelian views, according to which agents ought to cultivate relevant practical dispositions by internalising salient motives, norms and/or virtues.

<sup>28</sup> On *commitment* in Nietzsche, see Ridley 2009; for a Kantian account of commitment to discretionary ends, see Reath 2009.

<sup>29</sup> On these points, see e.g. Korsgaard 1997; Broome 1999.

<sup>30</sup> Note, nonetheless, that to just *assume* they are not true would beg the question against Nietzsche. Kant might himself suggest that one ought to pursue one's ends only if those ends are at the same time sanctioned by the Categorical Imperative. There are two Nietzschean responses to this: first, since the Derivation is intended to *derive* the Categorical Imperative *from* the concept of duty *as law*, it would be dialectically illegitimate to appeal to the Categorical Imperative at this juncture; second, it is plausible to suppose that (at least some of) the goals a higher type pursues are permissible by morality's lights.

<sup>31</sup> This response of course assumes that the goals a higher type realizes are indeed valuable. Korsgaard (2009: chs. 3 and 7) argues that only formal principles for action are directly normative, whereby any substantive principles delivering normative truths must be derivable from formal principles (the Categorical Imperative being one of the principles they must be derivable from). One response to Korsgaard's argument is to justify a substantive conception of value without recourse to the Categorical Imperative (I seek to do this in Robertson forthcoming Ch.10).

<sup>32</sup> Kantians might supplement their case by appealing to the analogy with laws of nature: just as these apply to all the objects they concern, practical laws apply to all the agents they concern. However, this is unconvincing. On the one hand, one of the issues just is *which* agents practical laws concern and apply to. On the other hand, two significant points put pressure on the Kantian analogy: first, the practical laws we are concerned with are normative, whereas laws of nature are not, so it remains an open question whether

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they function in relevantly similar ways; second, laws of nature are now commonly regarded as defeasible (and subject to a range of *ceteris paribus* conditions), whereas for Kant practical normative laws are not.

<sup>33</sup> In both (U) and (L), occurrences of ‘A’ in ‘*p*’ and ‘C’ can be replaced by ‘x’ so to allow for agent-relativity.

<sup>34</sup> Korsgaard (1996: 99) observes a similar conflation to which Kant is subject. She has subsequently developed several arguments designed to show that every rational agent (e.g. every agent capable instrumentally rational deliberation) is committed to the Categorical Imperative (see her 1986, 1997, 2009). One of her most recent versions trades on the idea that it is partially constitutive of being an autonomous agent that one exemplifies diachronic unity with respect to one’s ends and that this commits one to some version of the Categorical Imperative (2009: Ch.4). Nietzscheans can agree with the claim about diachronic unity, though it is far from clear how this commits one to willing ends that *others* could (or ought to) act on. In that respect, it does not commit one to universality *across agents* or to *Kant’s* Categorical Imperative and the moral law. For Korsgaard’s most recent arguments for why we are also committed to morality, see her 2009: Ch.9; for some generic doubts about Kantian strategies, see my §4.

<sup>35</sup> What if a law a Nietzschean higher type sets himself conflicts with a verdict generated by Kant’s Categorical Imperative? Kantians will likely argue that the Categorical Imperative takes priority and/or overrides apparently conflicting oughts. The arguments of §4 put critical pressure on that view (see also Brink 1997 for an argument that, even if Kant can justify morality’s normative authority, he cannot justify its overriding supremacy).

<sup>36</sup> Williams’ laconic riposte to this Kantian suggestion is that ‘there has to be an argument for that conclusion. Someone who claims the constraints of morality are themselves built into the notion of what it is to be a rational deliberator cannot get that conclusion for nothing.’ (1995: 37) For attempts to deliver the relevant argument(s), see e.g. Korsgaard 1996, 1997, 2009. The rest of the present section raises some general difficulties for such arguments.

<sup>37</sup> The Justification as presented here is a reconstruction that glosses over many of the intricacies underlying the moves Kant makes. Nonetheless, the key point is the uncontroversial one that Kantian autonomy rests on a conception of practical reason that is pure; it is this commitment to purity that Nietzsche objects to and via which he denies the move to universality.

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<sup>38</sup> For sake of completeness, Nietzsche *might* accept J1 and J3 as formal theses; if so, he must reject the Kantian interpretation of *freedom* and *autonomy* given by J5 and J6.

<sup>39</sup> Although the language of *GM* III 12 might seem to focus on theoretical reason, Nietzsche rejects any clear distinction between the operations of theoretical and practical reason. They might have different formal objects (belief and action, say); but both are essentially active with their contents guided ultimately by our practical interests and needs. Hence, what he says about the ‘will’ applies equally to its practical as to its theoretical operations. Although defending this interpretative claim requires more detail than is possible here, see *BGE* 4 and 11, plus the passages cited below regarding the ‘Sentimentalist Thesis’.

<sup>40</sup> Some (see esp. Leiter 2002: 91ff and 2009) attribute to Nietzsche the view that there is no will standing as the locus of volition—and that conscious mental life, including the processes and contents of conscious evaluative reflection, is therefore not under the causal control of any such will, but is instead a series of type-epiphenomenal events manifesting and controlled by deeper facts about our physiological and unconscious psychological makeup. Others afford Nietzsche a view according to which the will, although not entirely separable from the conscious and unconscious first-order psychological states its obtaining depends on, does nonetheless possess some degree of unity over and above those states, in ways that license our having at least a modicum of volitional and reflective control over our decisions. This now seems the more common interpretative line and it would, I think, be more interesting for accounts of normativity if Nietzsche could be entitled to it. For a variety of (often competing) views on how it might be developed, see the essays by Clark & Dudrick, Gardner, Gemes, Janaway, Pippin, Poellner and Ridley, all in Gemes and May 2009, plus Anderson 2012.

<sup>41</sup> See Robertson 2011a: 596-9 for some further detail on how they may fit together. Other relevant passages include *HAH* 39, 56, 57; *D* 34, 99, 119; *GS* 5, 57, 301, 347; *Z* ‘Of the Sublime Men’, ‘Of the Thousand and One Goals’; *BGE* 11, 186; *GM* III 12; *KSA* 12: 2[77], 12: 2[189-190], 12: 7[60], 13: 3[121].

<sup>42</sup> Many commentators attribute to Nietzsche a ‘drive psychology’ (e.g. Janaway 2007; Katsafanas 2013b and forthcoming). Although controversial how exactly to unpack the conceptual structure of a Nietzschean ‘drive’, it is uniformly treated as a psychological item (conscious or otherwise) that disposes to action; it is therefore a species of motive.



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<sup>43</sup> A full account and defence of this requires extensive analysis. But I take the following to represent the spirit of Nietzsche's views: Normative judgments can be cognitive, i.e. express beliefs (e.g. *HAH* 32; *D* 103; *TI* 'Improvers' 1); and they can be true (e.g. *D* 103). But a true normative judgment is not a representation of a world constituted by metaphysically robust normative properties, since there are no such properties (*GS* 301; *TI* 'Improvers' 1). Rather, normative judgments are essentially interpretative (*GS* 301; *BGE* 108; see also *HAH* 39, 40, 56; *D* 3, 119; *ZI* 'Of a thousand and one goals'; *GMP* 3; *TI* 'Errors' 3). Indeed, we interpret the world normatively, e.g. in terms of what there is reason to do in light of it; and we judge of certain features that they are, i.e. interpret them as, reason-giving. How we do and are able to interpret things normatively is shaped and constrained by our affective-cum-motivational repertoire, as the Sentimentalist Thesis implies. (This can be a partly cognitive and reflective, rather than a purely hydraulic, process. As Katsafanas 2013a: Ch.5 articulates things, although our subjective motives incline us and although we can never suspend the influence of all our motives, this does not show that we are thereby determined by any particular motive.) Thus the features a person is sensitive to as reason-giving depends on that person's motives; and this may vary across persons. For excellent accounts of the relation between sentiment and judgment in Nietzsche, see Poellner 2007; Katsafanas 2013a: Ch.5.

<sup>44</sup> Katsafanas 2013a: 115–32 deploys a combination of philosophical analysis and psychology data to argue *against* the Kantian idea that agents can suspend the influence of their motives, thereby motivating a view closely related to the Sentimentalist Thesis. For some further implications, see Robertson and Owen forthcoming and Robertson 2011a.

<sup>45</sup> A similar objection is pressed by Sieriol Morgan ('Naturalism and the First-Personal Foundations of Kantian Ethics', unpublished) in response to various Nietzschean critiques (e.g. Knobe and Leiter 2007; Risse 2007) that end up objecting on third-personal grounds to first-personal readings of Kant. It is difficult to know what to make of this first-personal Kantian response *dialectically*. For Kantians agree that there can (and must) be *some* distance between how a person actually and ideally experiences herself as a willing agent; yet if that distance allows that we can be mistaken about what willing actually involves, part of the explanation for our being mistaken may itself come from third-personal materials. At any rate, I agree that the first-personal is important in Nietzsche; see also Pippin 2010.

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<sup>46</sup> Korsgaard (1996: Ch.4, 2009: Ch.9) attempts to show how rational agents committed to the Categorical Imperative are committed to ‘public reasons’ and hence to morality. Although I cannot go into the details here, I do find it unconvincing (relevant to this are *GS* 354 and *GM* II). At any rate, the Nietzschean objection is designed to block an earlier stage in the progress towards those neo-Kantian moves—namely, the idea that a rational autonomous agent is committed to the kinds of universal law laid out by the Categorical Imperative.

<sup>47</sup> Reasons internalism is a view again associated with Bernard Williams (e.g. 1981b, 1995), who was of course one of Nietzsche’s pioneering analytic readers. On how Nietzsche influenced Williams, see Clark 2001; Robertson and Owen 2013; the latter includes a case for thinking that Williams’ internalism was itself partly a product of his engagement with Nietzsche.

<sup>48</sup> I develop a textual case for it in Robertson 2011a.

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