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**Nietzsche's Concept of 'Necessity' and its
Relation to 'Laws of Nature'**

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1. Introduction

In a much-cited passage from GS 335, Nietzsche calls on us to become self-creators and self-legislators on the basis of what he calls 'physics': knowledge of 'all that is lawful and necessary in the world' (GS 335 3.563)¹. This passage is important because it illustrates the entanglement of Nietzsche's concept of *necessity* with his concept of *lawfulness* or laws of nature, and the entanglement of both with *moral* concerns (self-legislation) and *artistic* concerns (self-creation). These entanglements are characteristic for Nietzsche, yet they are hard to understand. It is not just that necessity and lawfulness would seem to exclude creative and moral freedom. What Nietzsche means here is also hard to understand, given the weight of his *sustained critique* of moral legislation and even more: of lawfulness or laws of nature. Whatever he means by 'lawfulness and necessity in the world', it cannot be the popular or physicists' concepts denounced by him as 'naive-humanitarian' projections of moral categories onto nature (14[79] 13.257; BGE 22 5.37). Rather they need to be viewed as instances of the characteristic Nietzschean operation of 'reinterpretation' (*Umdeutung, Umbegreifung*): that is, as attempts to invest established or existing terms with new meanings. How, then *are we* to understand 'lawfulness and necessity in the world' or nature?

In this paper, my primary concern is with Nietzsche's concept of necessity. As so often with Nietzsche, his use of this term presents us with enormous difficulties, spanning as it does a bewildering range of positions from outright rejection ('let us get rid of the two popular concepts "necessity" and "law"; 'Against apparent "necessity"²) to unqualified affirmation ('Let us believe in absolute necessity in the universe'³). As my guiding thread I will take the entanglement of 'necessity' and 'lawfulness', as illustrated by the opening passage from GS, with the thesis that *Nietzsche's concept of necessity needs to be understood in terms of his (largely critical) engagement with the scientific (mechanistic) concept of laws of nature (Naturgesetze)*. In specific, I will try to describe a number of different meanings of the word 'necessity' by examining some key moments in his engagement with laws of nature. In the process I will also take up the other entanglement exhibited in the passage from GS 335 – that between Nietzsche's moral concerns and his engagement with laws of nature – by arguing that Nietzsche has primarily *moral* motivations for his engagement with the concepts

of 'lawfulness' and 'necessity' in nature. For both theses, I draw on my work for the entry *Gesetz* in the *Nietzsche-Wörterbuch*⁴ in what is intended as a test-case for the fruitfulness of this work. To start out, some preliminary orientation on Nietzsche's approach to laws of nature is needed.

2. Nietzsche's Attitude to Laws of Nature

2.1 Key Philosophical Impulses

It is hard to overestimate the formative influence of Nietzsche's early engagement with Heraclitus on his overall engagement with law across his work⁵. Under his influence, Nietzsche's thought is shaped by the project to rethink law in *radically immanent* and *monistic* terms; that is, as an immanent feature of nature, conceived as one and the only reality. This leads him to reject transcendent, dualistic and autonomous conceptions of law in favour of propinquities, analogies and underlying similarities between different types or domains of law. Nietzsche's immanentism is perhaps most clearly evinced in connection with the *moral* law. The autonomy of the normative sphere, essential to the self-understanding of both morality and jurisprudence (*Recht*), is consistently undermined by Nietzsche in contexts that denounce the transcendent and sovereign status of law as 'Anti-nature' (*Widernatur*) or a "denaturing [*Entnatürlichung*] of morality" (9[86] 12.380). Nietzsche's counter-proposal is a 'naturalism of morality' or 'moralistic naturalism', its task:

'to translate the seemingly emancipated and de-natured [*naturlos gewordenen*] moral values back into their nature – i.e., into their natural "immorality"⁶.

meine Aufgabe ist, die scheinbar emancipirten und naturlos gewordenen Moralwerthe in ihre Natur zurückzuübersetzen — d.h. in ihre natürliche "Immoralität" (9[86] 12.380)

For Nietzsche this task is both theoretical and practical in nature. On the one hand, it requires a systematic 're-translation' (*Zurückübersetzung*) or critical re-description of moral terms like 'law' in (terms of) the body, the drives, instincts, forces, individual and collective conditions for existence⁷. On the practical side, the first task is to overcome the 'ignorance of physics or contradiction to it' upon which morality as anti-nature has been built⁸. As we saw in the initial passage from GS, the question of 'physics' or *knowledge of nature* therefore comes to occupy a central place in the practical project to construct a naturalised morality⁹.

This question is, however, profoundly complicated by a further tendency to which Nietzsche repeatedly draws critical attention: our projection of moral experience, and all its presuppositions, onto nature. Nietzsche's claim, in a nutshell, is that the progressive de-naturing (*Entnatürlichung der Moral*) of morality has gone hand-in-hand with a projection of our de-natured morality into nature (*Vermoralisierung der Natur*). In this light, his project to translate morality back into nature is pointless, unless it is combined with a translation of morality *out* of nature: Nietzsche's naturalisation of morality (*Vernatürlichung der Moral*)¹⁰ is unthinkable without the project to de-moralise nature (*Entmoralisierung der Natur*)¹¹.

2.2 On the Relation of Philosophy to Natural Science

Nietzsche's pronouncements on laws of nature need to be read from a perspective in his views on the relation between philosophy and science (in the broad sense: *Wissenschaft*). They exhibit a remarkable consistency across his work.

In two early *Nachlass* texts the *critical, evaluative* and *supplementing* (*ergänzend*) functions of philosophy are set out in a programmatic manner. In one of them (23[45] 7.558f) philosophy is played out 'against the dogmatism of science' in that philosophy 'shatters the belief in the inviolability (*Unverbrüchlichkeit*) of such laws'. In *PTG* 3 1.816 philosophy is presented as a legislation of greatness (*Gesetzgebung der Grösse*) on the model of taste (*Geschmack*, sapientia); while making free use of the results of science (*Wissenschaft*), it leaps beyond them in the quest for 'important knowledge', for 'the things most worth knowing'. For Nietzsche, as for Weber, science (*Wissenschaft*) is incapable of evaluation, and generates world-views that are bereft of value and meaning. Philosophy-as-taste, by contrast, names a peculiar episteme that is normative or law-like (*Gesetzgebung*), without there being any actual laws of norms that could ground or demonstrate its judgements (*de gustibus non est disputandum*). Its task, according to Nietzsche, is to determine the *value of science*, and to prescribe its rights¹², by elucidating the nature and limits of laws of nature, and their moral, metaphysical and psychological presuppositions.

In Nietzsche's philosophical practice, this takes various forms, depending on the context and exact meaning of 'law' therein. At one extreme is (1) *absolute negation*: 'there are no laws' (*es gibt keine Gesetze*), the denial of the existence of laws of nature¹³. Then there are (2) attempts at a radical reversal (*Umkehrung*) of the traditional properties and functions of the concept of law (eternity, universality, regularity, unification, ordering). Thus, for example, in a well-known note from the period of the Eternal Return, the *universality* and *eternity* of mechanistic laws are undermined by arguing that these laws 'arose in a lawless play' (*im gesetzlosem Spiel entstanden*), as 'exceptions' and 'chance events' in a world that 'is removed from mechanical laws'¹⁴. At the other extreme from Nietzsche's negation (1) of law is his affirmative usage in contexts where (3) he attempts to re-interpret or re-conceptualise law (*Umdeutung*); that is, to retain the word 'law' but invest it with new meanings. This can involve limited, pragmatic affirmations of laws of nature – as 'sign language' or 'regulative fiction' (*Zeichensprache, regulative Fiktion*) – often coupled to the demand that they be *supplemented* with philosophical world picture or 'inner world' (Will to Power). But it can also involve the unqualified use of 'law' to describe reality or nature, as in *GS* 335. This operational use of 'law' occurs especially in connection with Will to Power, organic life and physiology¹⁵.

It is these affirmative and/or operational uses of 'law' (3), when placed next to texts at the other extreme that criticise and negate laws of nature (1), that bring us face-to-face with the problematic status of laws of nature in Nietzsche's thought. For how can he criticise and negate laws of nature, but also use 'law' to describe nature or reality in other contexts? Is there a way to make sense of his affirmative / operational uses of law, in the light of his sustained critique and rejection of laws of nature?

In what follows I will consider instances of the two extremes – absolute negation and the affirmative reinterpretation of law –, asking each case: What implications do these opposed positions on law have for the question of necessity,

and what do they tell us about the meanings of this term for Nietzsche? But first we need to ask: What *is* Nietzsche's critique of laws of nature?

2.3 Nietzsche's Critique of Law

A number of constants stand out in Nietzsche's critical engagement with the concept of laws of nature. From an early date, laws of nature are understood by him as

1. *active anthropomorphic projections* (*auferlegt, Interpretation, Erdichtung, Setzen*), which
2. express our "laws" ('the "laws" of optics', 'laws of perception'¹⁶) or at the most: the relation of the world to us; *not* however the 'things' themselves or the 'in itself'. As such they stand
3. in the service of *pragmatic ends* (signification, mutual understanding, calculation and mastery of nature), *not* of cognitive ends: explanation, understanding (*Erklärung / Begreifen*)¹⁷. They also stand
4. in the service of *moral ends* of humanising and ascribing meaning (*Sinngebung*) to nature.

In the present context, I will only enlarge on the last two points:

3. Nietzsche's reinterpretation of laws of nature as 'formulae', 'schemata', 'images' or a 'cipher' for an 'unknown state of affairs'¹⁸ serves him to emphasise time and again their pragmatic functions in sharp contrast to their cognitive value and rule out any inferences from the former to the latter. Just because of their instrumental value for life, however, this move allows for a limited affirmation of laws of nature in this relational-pragmatic sense. Not so, when it comes to the *moral* goals served by laws of nature. Nowhere is Nietzsche's opposition to laws of nature more implacable or consistent than when he considers

4. the moral meaning of laws of nature. The chief polemical target across Nietzsche's writing is the subjective, essentially moral meaning of laws of nature: the projection into nature (*Hineindichtung*) of the inner moral experience of obligation (*Sollen*), that is, of the *moral* law and the network of moral concepts that go with it ('mercy', 'protection', 'respect for "laws"' 36[18] 11.559), and especially: voluntary obedience to the law with its metaphysical presupposition of free will¹⁹. This meaning of law is at work, so Nietzsche, not just in the 'popular' conception of law (14[79] 13.257), but also in the physicists' understanding, which he rejects as a 'naive-humanitarian' distortion of nature (*BGE* 22 5.37).

There are contexts in which Nietzsche argues that the moral meaning of 'ought' (*Sollen*) clings so firmly to the words 'law', 'lawfulness of nature' that we cannot utter them without a 'moral aftertaste' (*moralischen Beigeschmack*: 36[18] 11.559). Thus, in a *Nachlass* note from 1879, where Nietzsche identifies our 'law'-talk with the moral meaning of ought (*Sollen*), he goes on to legislate – in a performative instantiation of this meaning – that the word 'law' ought (*soll*) to be restricted to the moral domain of *Sollen*:

Where something must be done, one ought not to talk of laws, but only there, where something ought to be done. Against the so-called natural laws and especially the economic [ones] etc.

Man soll da, wo etwas gethan werden muß, nicht von Gesetz reden, sondern nur da, wo etwas gethan werden soll. Gegen die sogenannten Naturgesetze und namentlich die ökonomischen usw. (44[6] 8.612).

A direct line can be drawn from this programmatic act of legislation, to the numerous texts from GS 109 on that deny the existence of laws in nature (see note 13). Nietzsche's strategy (1) of absolute negation is, then, to be understood as the practical consequence he draws from the ineradicable moral connotations of the words 'law', 'lawfulness': If we cannot utter these words without a 'moral aftertaste', then they are useless for the purposes of de-moralizing nature. The only realistic chance of countering the moralisation of nature involves a programme to expunge the word 'law' from our very language of nature in favour of a new, a-moral, non-anthropomorphic vocabulary of power-relations.

If we now ask what the implications of this programme are for the language of 'necessity', Nietzsche's answer is equivocal, depending on the exact meaning he ascribes to it:

- In some contexts, 'necessity' is perceived as part and parcel of the package of moral interpretation, as expressing the *moral* necessity of *Sollen*: the constraint, compulsion (*Zwang*) to follow the moral law (= NECESSITY 1). In this case, the negation of law entails the negation of necessity, so that the task is to formulate a language of nature devoid of both 'law' and 'necessity', as false explanations of the calculability / regularity of natural processes (e.g. *BGE* 21; 14[79] 13.257).
- In other contexts, the rejection of laws of nature does *not* entail a rejection of necessity. Here 'necessity' names that which *remains* after thinking away anthropomorphic laws of nature, as an impersonal, a-moral *Müssen* (*not Sollen*) aligned with the calculability / regularity of natural processes. Here necessity (= NECESSITY 2) is understood as *logically independent* of laws of nature, and the task is to rethink 'necessity' in non-anthropomorphic, extra-moral terms in a way that offers an alternative, non-legalistic explanation or interpretation of natural processes and the regularities they exhibit. These tasks are pursued by Nietzsche in the languages of *will to power* and *fate* or *fatum*

However, it should not be thought the will to power falls neatly within this programme, nor that he gives up entirely on the language of 'law' in connection with nature or reality. As mentioned above, 'law' is also affirmed and used by Nietzsche in connection with the will to power. This is partly because he does not always hold that the language of 'law' is indelibly tainted with moral connotations. In some contexts, Nietzsche appears to believe that the problem of law lies less at the level of words than at the level of concepts, so that the task of de-moralising nature can be engaged by retaining the language of law and reinvesting it with new meanings, purged of moral connotations (strategy 3: *Umdeutung*). These suggestions call for a closer look

at the will to power in relation to law, and the implications it has for the concept of necessity.

3. Will to Power, Law and Necessity

The status of law and necessity in the context of Will to Power is complicated by two factors.

The first is that it is unclear whether the Will to Power is meant to supplement (*ergänzen*) mechanics or to displace (*ersetzen*) it as an alternative to pan-mechanism. Where the Will to Power is presented as a supplement (*Ergänzung*) of mechanics and mechanistic concepts like 'force' and 'law', Nietzsche intends what Mittasch calls a 'deepening' ('Vertiefung und Verinnerlichung') of the concept of laws of nature by supplementing them with an 'inner world' of non-mechanistic occurrence (*Geschehen*)²⁰. At issue, for one, is the explanation of motion in terms of a *principle of activity* (s. Mittasch, 85f.), what Nietzsche calls the problem of the 'mobile'²¹. In these contexts, mechanistic laws are sometimes assigned the pragmatic status of 'formulae' or 'means of expression' (*Formeln, Ausdrucksmittel*: 1[30] 12.17f.) , but also a quasi-ontological status as 'symptoms', even 'effects' (*Wirkungen*)²² of a non-mechanistic, inner occurrence or process (*Geschehen*).

Where, on the other hand, Nietzsche looks to *replace* mechanics and mechanistic laws with the Will to Power, the question of laws and necessity is complicated by a second factor: Nietzsche seems to adopt at least three distinct positions. In some contexts the absolute negation of laws includes a negation of necessity; in others, 'necessity' names that which remains after subtracting laws of nature; and then there are the contexts where 'law' is used affirmatively or as an operational term to describe reality or nature as Will to Power. Despite these differences, a survey of the relevant texts shows two things quite clearly: *first*, that Nietzsche's primary concern when discussing the question of law and necessity in connection with Will to Power is with the concept of causality and the related issues of free will and determinism; and *secondly*, that the different positions he adopts on law and necessity are just so many different attempts to articulate a radically immanent knowledge of nature or reality. In this respect, the question of law and necessity is the 'golden road' to Nietzsche's positive ontology, as I will try to indicate. Both points can be seen in the context of Nietzsche's affirmative use of law, with which I begin.

3.1 Will to Power and Law

One of the key meanings of 'law' in connection with Will to Power and anticipations of the Will to Power concerns the *relational* character of reality. This can be seen in a note where Nietzsche writes:

to all that is lawful, that is, the relational character of all occurrence there corresponds only a thought-process (memory und inference)

[...] allem Gestezmäßigen d.h. dem Relations-charakter alles Geschehens [entspricht] nur ein Denkvorgang (Gedächtniß und Schluß) (26[36] 11.157 1884)

Of importance for us is the emphasis on relations, which is already captured in an earlier *Nachlass* note from the time of GS, where Nietzsche looks to advance the cause of morality by overcoming the 'I' – 'Not-I' opposition in favour of a refined knowledge of nature: 'a sharper grasp of the true in the other and in myself and in nature' (11[21] 9.450). He then calls on us

[t]o let ourselves be **possessed** by things (not by persons) and by the greatest possible range [*Umfange*] of true things!

- an initiative that

will perhaps end in such a way that, instead of the I we know the affinities and enmities of things, thus pluralities and their laws [...]

Vielleicht endet es damit, daß statt des Ich wir die Verwandtschaften und Feindschaften der Dinge erkennen, Vielheiten also und deren Gesetze [...]

Later on, where the critique of substance, causality and the 'doer-deed' schema makes talk of 'things' more problematic, the emphasis in Nietzsche's use of 'law' shifts to *dynamics*: activity, process, motion. Thus in one note he writes of the 'inner laws of motion of the organic being' (*inneren Bewegungs-gesetzen des organischen Wesens*) of which we 'still have no inkling' (26[81] 11.170). In another note he opposes 'the absolute concept "atom" and "individual"' by referring the *relations* of 'struggle' (*Kampf*) among atoms back to prior *processes* of aggregation (condensation) and disgregation among power-centres (*Macht-Centra*). 'Both processes', he insists, 'that of dissolution and that of condensation [are] to be understood as effects of the will to power', and concludes

world-bodies and atoms only different in scale, but the same laws

Weltkörper und Atome nur größenverschieden, aber gleiche Gesetze (43[2] 11.702)

What, then, are we to make of this use of 'laws' to describe the *relational* and *dynamic* character of reality as occurrence, given the weight of his critique of law as a distorting projection onto nature? And what are their implications for the concept of 'necessity'?

One clue to this puzzle is given by *Heraclitus*, and the Heraclitean identity of *Dike* and *Polemos*, repeatedly described by the young Nietzsche as an 'immanent lawfulness' (*immanente Gesetzmässigkeit*). Thus, for example:

Dike is not supposed to punish: it is the immanent lawfulness

Die **dike** soll nicht strafen: sie ist die immanente Gesetzmässigkeit²³

Or of the Heraclitean world-child:

The child then throws the toy away: but soon it starts all over again in innocent caprice. But as soon as it builds, it connects, joins and forms in a lawful manner and according to inner orders

Das Kind wirft einmal das Spielzeug weg: bald aber fängt es wieder an, in unschuldiger Laune. Sobald es [das Kind] aber baut, knüpft und fügt und formt es gesetzmäßig und nach inneren Ordnungen (PTG 7 1.831; cf. PTG 19 1.872: 'zwecklos'; VPP 10 KGW II/4.278)²⁴

But even stronger than Heraclitus, are the affinities with Goethe, and his distinction between imposed (*auferlegte*) laws of nature and an *immanent* lawfulness of living nature²⁵. At stake for Goethe here is not the kind of external, imposed laws that he identifies with natural science, but the *inner character of spontaneous effective beings*; not fixed, substantive models or primal images (*Ur-Bilder*), but *activity*; not eternally valid, constant laws, but laws that depend on *individual characteristics*. Above all, Goethe's concern with his concept of law or 'type' is to assert 'the *priority of relations or connections* among parts [...] over the analysis of parts' (Jungmann, 181; emphasis added).

Clearly, two of these moments resonate strongly with what we have already seen and point to an *ontological dimension* of the lawfulness of Will to Power, one that is focused on the *relations between* diverse power-centres, conceived as *spontaneous, effective activity* without substance. In this light, Nietzsche's move is to extend Goethe's concept of law or 'type' from living nature to all of reality-as-occurrence.

What, then, does this *immanent ontology of law* suggested by the affinity with Goethe imply for the concept of necessity in the context of Will to Power²⁶? Among the later texts where 'law' is used in connection with reality or Will to Power, only two make explicit reference to 'necessity'. Both provide important clues to Nietzsche's understanding of necessity that highlight key aspects of his immanent ontology of law. The first text involves the attempt, repeated throughout the late *Nachlass*, to deny mechanism's claim to knowledge:

In mathematics [read: mechanism] there is no understanding, but only a registering of necessities: of relations, which do not change, of laws in being

In der Mathematik giebt es kein Begreifen, sondern nur ein Feststellen von Nothwendigkeiten: von Verhältnissen, welche nicht wechseln, von Gesetzen im Sein (25[314] 11.93 ; cf. 2[139] 12.135f)

In telegraphic form, this text performs a two-fold reduction: of mechanism's claim to knowledge ('understanding') to a recording / registering (*Feststellen*) of necessities; and then – à la Hume – of necessity (Hume's 'necessary connexion') to constant relations (Hume's 'constant conjunction'). But these constant relations are then – *contra* Hume – given an immanent-ontological status as 'laws in being'. Clearly, this claim places the burden on Nietzsche to do what mechanism cannot: to comprehend and explain necessity in the sense of constant relations, where these are understood as an immanent feature of reality or being [NECESSITY 3]. This is what we find Nietzsche doing in the second text that mentions 'necessity' in connection with Will to Power, where he writes:

“Laws of nature” as a registering of power-relations.
“Cause and effect” an expression for the necessity
and relentlessness of this assertion of power.

“Naturgesetze” als Feststellung von Machtverhältnissen.
“Ursache und Folge” ein Ausdruck für die Nothwendigkeit
und Unerbittlichkeit dieser Machtfestsetzung. (39[13] 11.623)

Again in telegraphic form, we see Nietzsche looking to explain the constant relations in nature through the association of necessity with the ‘relentlessness’ (*Unerbittlichkeit*) of power-relations. What Nietzsche means by ‘relentlessness’ is somewhat filled out in another note where he refers the “law of nature” to ‘the unconditional establishment of power-relations and -degrees’ (*die unbedingte Herstellung der Macht-Relationen und -Grade*:1[30] 12). At stake here is clearly a sense of *constraint* (*Zwang*), but one that must be distinguished from the anthropomorphic-moral sense of constraint (*Sollen* as the necessity to obey the law) unequivocally rejected by Nietzsche. An important pointer for this impersonal-amoral sense of constraint is given in a note (mentioned earlier) where Nietzsche writes of the ‘laws’ or ‘processes of dissolution and condensation’ as ‘effects of the will to power’ (43[2] 11.701f.). He goes on to write:

All the way down to its smallest fragments, it [the will to power - HS] has the will to condense itself. But it is constrained to condense itself in a specific direction **around** itself, to thin itself out at another place etc.

Bis in seine kleinsten Fragmente hinein hat er [der Wille zur Macht- HS] den Willen, sich zu verdichten. Aber er wird gezwungen, **um** sich irgendwohin zu verdichten an anderer Stelle sich zu verdünnen usw.’

Here Goethe’s immanent ontology of law as *spontaneous, effective activity* without substance is specified as the *activity of increasing power* through processes of aggregation or condensation. This *general* principle is, however, situated in *concrete, particular* relations of struggle among diverse power-centres, each vying to increase its power. Thus, even if all power-centres are by definition activities of increasing power, the actual *direction* or *form* this takes for a given power-centre is *limited* or *constrained* by the kind of resistance it encounters from the other power-centres in its vicinity. Here ‘constraint’ refers not to the general ‘law’ or activity of increasing power as such, which is spontaneous and ‘free’, but to the *limits* imposed by the particular complex of counter-powers on the *direction* and *form* this activity can take [NECESSITY 4 as: the constraints (*Zwang*) imposed on the activity of increasing power by local resistances].

On this basis we can say: Where the term ‘necessity’ is used in the sense of ‘constraint’ (*Zwang*) in the context of Will to Power, it highlights another aspect of Nietzsche’s radically immanent knowledge of nature or ontology: its attention to *concrete, situational* power-complexes for understanding the actual forms and directions taken by the spontaneous, effective activity that is reality. In this regard, Nietzsche’s concept of necessity articulates the third moment or motivation behind

Goethe's immanent ontology of law: its attention *not* to eternally and universally valid constants, but to the *diversity* of particular life-forms and their *individual characteristics*, or for Nietzsche: radically individual, situational complexes of powers and counter-powers.

3.2 Will to Power *contra* Law

So far, we have seen Nietzsche looking to explain *constant relations*, as an intrinsic feature of reality [NECESSITY 3], with reference to the 'necessity' or 'constraints' that emerge in particular, concrete power-complexes on the general 'law' or activity of power-aggregation [NECESSITY 4]. If we now turn to those contexts where Nietzsche takes radically opposed positions on 'law' and 'necessity' in connection with the Will to Power, we find the same underlying concern to explain constant relations, otherwise called 'calculability' or 'regularity'. Nietzsche's commitment to immanent laws is, it seems, experimental rather than firm, and strictly secondary to his firmer commitment to explain constant relations in radically immanent terms. So, even in contexts where he negates one or both, his views on 'law' and 'necessity' throw further light on his positive ontology of immanence.

In aphorism 22 of *BGE* (mentioned several times) Nietzsche denounces the physicists' "lawfulness of nature" as a 'naive-humanitarian' distortion of nature in the service of modern, democratic instincts. In this text, Nietzsche's familiar critique of 'law' as an anthropomorphic projection serving moral ends culminates in an absolute negation of laws. Laws of nature are opposed as a false explanation of constant relations by a (self-referential) interpreter who, with respect to 'the same appearances'

ends up claiming the same thing of this world as you [scientists], namely that it has a "necessary" and "calculable" course, not, however because laws rule in it, but because laws are absolutely lacking, and every power draws its ultimate consequence in every moment. (*BGE* 22 5.37)

ein Interpret, der [...] damit endete, das Gleiche von dieser Welt zu behaupten, was ihr behauptet, nämlich dass sie einen "nothwendigen" und "berechenbaren" Verlauf habe, aber nicht, weil Gesetze in ihr herrschen, sondern weil absolut die Gesetze fehlen, und jede Macht in jedem Augenblicke ihre letzte Consequenz zieht.

Here, the absolute negation of laws from nature leaves necessity, in the sense of (or a sense closely related to) the *calculability* (*Berechenbarkeit*) of natural events [NECESSITY 2]. At stake here is the problem encountered earlier of understanding or explaining *constant relations*, as an intrinsic feature of reality. But at another level, it is the very possibility of science that needs to be explained; that is: the possibility of formulating mathematical laws that allow for predictive calculation of the course of nature on the basis of constant relations. And Nietzsche's laconic response at both levels runs: it is because 'every power draws its ultimate consequence in every moment'.

What Nietzsche means by this somewhat clarified in a *Nachlass* text with the heading: 'Critique of mechanism', where he writes:

There is no law: every power draws its ultimate consequence in every moment. That there is no *mezzo termine*, precisely that is the basis of calculability.

Es giebt kein Gesetz: jede Macht zieht in jedem Augenblick ihre letzte Konsequenz. Gerade, daß es kein *mezzo termine* giebt, darauf beruht die Berechenbarkeit. (14[79] 13.257)

Here, what Nietzsche called “necessity” in *BGE 22*: the *calculability* of natural events [NECESSITY 2], is explained with reference to the selfsame expression: ‘every power draws its ultimate consequence in every moment’. But this time, he unpacks this with the claim: there is no ‘*mezzo termine*’, there is no middle or mediating term. According to Werner Stegmaier²⁷, what Nietzsche is denying here is law (*not* in a moral sense, but) as a principle or term that would *stand outside* the actual course of events, understood as a play of forces or powers, in which each power only is what it is in any moment by virtue of its interactions with other counter-powers. At play here is Nietzsche’s *dynamic, relational* concept of power, or rather *powers*; that is, 1. power as activity, the activity of increasing power, which can only be an *overpowering*, because 2. power-as-activity can only act *in relation to* the resistance offered by other counter-powers²⁸.

Nietzsche, then, recurs to his dynamic, relational concept of power in order to negate the possibility of explaining the actual course of events by *abstracting* to any degree from this particular play of powers-and-counter-powers. Once again, the question of law directs us to the perspective *within* concrete, particular power-complexes required by Nietzsche’s radically immanent ontology. But what does this imply for the concept of necessity? And what are we to make of Nietzsche’s claim to explain the calculability of events from this internal perspective?

In contrast to the texts considered earlier, where ‘necessity’ in the sense of constraint served Nietzsche to assert his concrete situational ontology [NECESSITY 4], there is at least one text where ‘necessity’ and ‘constraint’ are rejected on exactly the same grounds as those used here to reject law. In a *Nachlass* text that declares war on determinism (*Zur Bekämpfung des Determinismus*), Nietzsche writes:

That something proceeds with regularity and proceeds in a calculable way does not imply that it proceeds with necessity.

Daraus, daß Etwas regelmäßig erfolgt und berechenbar erfolgt, ergibt sich nicht, daß es notwendig erfolgt.

But in what sense is necessity here denied? Nietzsche goes on:

“Mechanistic necessity” is not a given fact: it is we who have interpreted it into occurrences. We have interpreted the formulability of occurrences as the consequence of a necessity that holds sway over occurrences. But from the fact that I do something specific, it by no means follows that I do it under constraint. Constraint as something in things cannot be demonstrated: the rule [as in: regularity] demonstrates only that one and the same occurrence is not also another occurrence.

Die "mechanische Nothwendigkeit" ist kein Thatbestand: wir erst haben sie in das Geschehn hinein interpretirt. Wir haben die Formulirbarkeit des Geschehens ausgedeutet als Folge einer über dem Geschehen waltenden Necessität. Aber daraus, daß ich etwas Bestimmtes thue, folgt keineswegs, daß ich es gezwungen thue. Der Zwang ist in den Dingen gar nicht nachweisbar: die Regel beweist nur, daß ein und dasselbe Geschehn nicht auch ein anderes Geschehn ist. (9[91] 12.383)

It is, then, 'mechanistic necessity' in a sense consonant with mechanistic law as *mezzo termine* that is here negated: necessity as an explanatory principle that stands outside or above (*über*), that 'holds sway over' (*walten über*) a determinate occurrence [NECESSITY 5]. 'Necessity' in this (5th) sense is, by virtue of abstracting from the particularity of this determinate occurrence, a false interpretation of the formulability (*Formulierbarkeit*) of events, that is, their regularity or calculability (*Regelmäßigkeit, Berechenbarkeit*). Under 'formulability' or 'calculability' we have to understand the possibility of science, and Nietzsche goes on to interpret it, contra 'necessity', in terms of *radical facticity*: that a given occurrence or force just is what it is:

Against apparent "necessity"

– this just a way of expressing that
a force is not also something else.

Gegen die anscheinende "Nothwendigkeit"

– diese nur ein Ausdruck dafür, daß
eine Kraft nicht auch etwas Anderes ist. (9[91] 12.386)

Thinking away 'necessity' as the projection of moral constraint (NECESSITY 1) and as a *mezzo termine* that abstracts from determinate occurrences (NECESSITY 5) leaves a minimal concept of reality as facticity in the sense of:

so-sein (being-thus);

so-und-nicht-anders-sein (being-thus-and-not-otherwise);

so-beschaffen-sein: that something is as it is, as strong or as weak, as a function of relations of power and the degrees of power-over and resistance.

With this notion of radical facticity, we have a settled position reiterated several times in the late *Nachlass*:

The unchanging sequence of certain appearances does not demonstrate a "law", but rather a power-relation between 2 or more forces. To say: "but exactly this relation remains the same!" means nothing other than: "one and the same force cannot also be another force". — It is not about a sequence [lit. after-one-another], — but rather a interconnectedness [lit. in-one-another], a process, in which the single moments that follow one another condition one another not as causes and effects

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beweist kein "Gesetz", sondern ein Machtverhältniß zwischen 2 oder mehreren Kräften. Zu sagen: "aber gerade dies Verhältniß bleibt sich gleich!" heißt nichts Anderes als: "ein und dieselbe Kraft kann nicht auch eine andere Kraft sein". — Es handelt sich nicht um ein Nacheinander, — sondern um ein Ineinander, einen Prozeß, in dem die einzelnen sich folgenden Momente nicht als Ursachen und Wirkungen sich bedingen (2[139] 12.135f.)

But just this thus-and-not-otherwise [i.e. that something always occurs thus-and-thus] could derive from the being itself, that behaves thus-and-thus not with regard to a law, but rather as being constituted thus-and-thus. It means only: something cannot also be something else, can do this now, that then, is neither free nor unfree, but just thus-and-thus.

Aber gerade jenes So-und-nicht-anders [d.h. Daß etwas immer so und so geschieht] könnte aus dem Wesen selbst stammen, das nicht in Hinsicht erst auf ein Gesetz sich so und so verhielte, sondern als so und so beschaffen. Es heißt nur: etwas kann nicht auch etwas anderes sein, kann nicht bald dies, bald anderes thun, ist weder frei, noch unfrei, sondern eben so und so. (2[142] 12.137)

that something is the way it is, as strong, as weak, that is not the consequence of an obeying or a rule or a constraint... The degree of resistance and the degree of power-over — that is what is at play in all occurrence: if we know how to express it in formulae of "laws" for our calculating needs, all the better for us!

daß etwas so ist, wie es ist, so stark, so schwach, das ist nicht die Folge eines Gehorchens oder einer Regel oder eines Zwanges... Der Grad von Widerstand und der Grad von Übermacht — darum handelt es sich bei allem Geschehen: wenn wir, zu unserem Hausgebrauch der Berechnung, das in Formeln von "Gesetzen" auszudrücken wissen, um so besser für uns! (14[79] 13.257f.)

3.3 Ambiguities

To me it is not clear whether this notion of radical facticity is meant to *explain* the regularity of natural processes, their calculability and therewith the possibility of mechanistic science, (if so, it does not seem a very good explanation!) – or whether it is rather an *interpretation* of reality that asserts the *impossibility* of comprehending or explaining regularity in nature, and with it of explaining the possibility of science. Nor is it clear to me how Nietzschean facticity stands in relation to the concept of necessity. Certainly, facticity is consistently opposed to *laws of nature* in the senses criticised by Nietzsche. As such, it is advanced as part of an alternative, non-legalistic, non-mechanistic, non-causal language of nature. But it's not clear whether it is meant as an *alternative to* the concept of necessity that would exclude the latter from this language, or as an *alternative interpretation of necessity* (*Umdeutung*): a *minimal concept of necessity* that remains and is affirmed after thinking away the moral and transcendent concepts [NECESSITY 1 & 5] he negates. In that case, we can speak of necessity in a 6th sense, advanced by Nietzsche as an interpretation of necessity in the 2nd sense [NECESSITY 6, as interpretation of NECESSITY 2: a non-anthropomorphic, extra-moral necessity that remains after subtracting laws of nature]

In concluding, I will sketch an interpretation that does not settle these ambiguities, but does enable us to understand them better, and throws light on the essentially *moral* motivations or functions of Nietzsche's concept of facticity. As my frame of reference I take three modalities of judgement or being:

- I. necessity (must-be-thus: *so-sein-müssen*);
- II. actuality (being-thus: *so-sein*, being-thus-and-not-otherwise: *so-und-nicht-anders-sein*); and
- III. possibility (can-be-thus-or-otherwise: *so-oder-anders-sein-können*).

My claim is that Nietzsche's concept of facticity collapses all three modalities into one. In specific:

- With the concept of facticity Nietzsche collapses (I.) necessity (*so-sein-müssen*) into (II.) actuality (*so-sein*) with two consequences: 1. Nietzsche hereby excludes determinism or the "unfree will"²⁹, and in doing so 2. he frees up actuality towards *radical contingency*. Or one could say: Nietzsche thereby transforms the meaning of actuality from *presence* to the *radical contingency* of just being-thus.
- With the concept of facticity Nietzsche also collapses (III.) possibility (*so-oder-anders-sein-können*) into (II.) actuality (*so-sein*) with the crucial consequence of thereby also excluding possibility from the past, and specifically: the past subjunctive of 'it could-have-been-otherwise' (*hätte-anders-sein-können*). Nietzsche hereby excludes the presupposition of the 'it could-have-been-otherwise', the non-determinism of the free will³⁰ that is also the presupposition for all moral imperatives: the *so-sein-sollen* or ought-to-be-thus.

If this, or something like this right, then Nietzschean facticity leaves us with a concept of reality as radical contingency beyond the opposition of free will and determinism³¹, an *extra-moral* contingency that, in excluding free will also excludes the ascription of responsibility, and the negation of the past, the 'it was', on the grounds that it *could have been otherwise*. Nietzschean facticity thereby frees up reality towards *innocence* and towards *unconditional affirmation*. In these respects, Nietzsche's concept of facticity, this incredibly simple but unthinkable thought that is the result of his life-long engagement with laws of nature, forms the core of his project to demoralise nature. In the published works, Nietzsche's efforts to rethink or think away 'necessity' beyond mechanistic laws and beyond the free will – determinism opposition are pursued through the concept of *fate* or *fatum*. But that is the subject for another paper.

Notes

¹ References to Nietzsche's works follow the standard English abbreviations, with section / aphorism numbers and/or names, as appropriate; where necessary, page references are given for the *Kritische Studienausgabe* (= KSA, G. Colli and M. Montinari eds., Munich and Berlin: dtv and de Gruyter, 1980), as follows: D 15 3.42 = *Dawn* aphorism 15 in KSA vol. 3, p.42). References to the *Nachlass*, also from the KSA, follow the notation therein (e.g. 2[13] 7.23 = note 2[13], KSA vol. 7, p.23). Emphases are original: underlining designates Nietzsche's own underlining; bolding designates his double-underlinings. Translations are mine, and square brackets are used in quotes for the original German words or interpolations of mine.

² 'entfernen wir hier die zwei populären Begriffe "Nothwendigkeit" und "Gesetz" [...]' 14[79] 13.257; 'Gegen die anscheinende "Notwendigkeit" [...]' 9[91] 12.386.

³ 'Glauben wir an die absolute Nothwendigkeit im All [...]' 11[201] 9.522; see also BGE 22 5.37.

⁴ Forthcoming in: Paul van Tongeren and Herman Siemens, eds., *Das Nietzsche-Wörterbuch*, Bd. II (Berlin & New York: De Gruyter, 2011). Cf. Paul van Tongeren, Gerd Schank and Herman Siemens, eds., *Das Nietzsche-Wörterbuch*, Bd. I: Abbiaviatur – Einfach (Berlin & New York: De Gruyter, 2004).

⁵ See Herschbell, J. and Nimis, S.. "Nietzsche and Heraclitus." *Nietzsche-Studien* 8 (1979): 17-38; Thomas Busch, *Die Affirmation des Chaos. Zur Überwindung des Nihilismus in der Metaphysik Friedrich Nietzsches* (St. Ottilien: EOS Verlag, 1989), 271ff.; Hölscher, U. "Nietzsche's debt to Heraclitus." In: *Classical Influences on European Culture Vol III: 1650 – 1870*, R. Bolgar ed. (Cambridge: Cambridge University Press, 1977), 339-348.

⁶ 9[86] 12.380. Or more bluntly: 'Fundamental principle: to be like nature': 25[309] 11.91. For Christianity as 'Widernatur der Moral' and 'widernatürliche Moral' and his counter-conception of 'naturalism in morality', see TI Antinature 4 6.85f.. For the formulation 'Naturalismus der Moral' see 15[5] 13.403; 16[73] 13.509.

⁷ For the body: 7[150] 10.291. For the drives: 7[76] 10.268. For conditions for existence: 10[157] 12.545f.; 14[158] 13.343; 14[105] 13.283). See also: 4[67] 9.115; 25[460] 11.135; 26[38] 11; BGE 188; 9[86] 12.380.

⁸ GS 335 3.563f; 6[189] 9.245f; AC 43 6.217.

⁹ See also 4[99] 10.144; D 453 3.274; 11[21] 9.45; 11[54] 9.561; 11[220] 9.527; 25[309] 11.91; 27[56] 11.288.

¹⁰ 9[8] 12.342.

¹¹ This expression is not used by Nietzsche, who does however write of 'entmoralisieren' with reference to 'the world': 24[7] 10.647; 16[16] 13.487. Also: GS 109 3.469 on '[die] Natur zu vernatürlichen' and 'Natur ganz entgöttlich'. For aspects of Nietzsche's naturalisation of morality, see also: 4[99] 10.144; D 453 3.274; 25[309] 11.91; 27[56] 11.288; 11[21] 9.450.

¹² See e.g. PTG 3 1.816 where philosophy is described as a 'legislation of greatness' (*Gesetzgebung der Grösse*) on the model of taste (*Geschmack, sapientia*), which determines the value and limits of science (*Wissenschaft*), makes use of its results but leaps beyond them on its way to 'important knowledge'. For an analysis of philosophical legislation on the model of taste see: Siemens, Herman. "Agonal Communities of Taste: Law and Community in Nietzsche's Philosophy of Transvaluation". *Journal of Nietzsche Studies* 24 (Fall 2002): 83-112, esp. 91-98. This relation is central to notebook 19 in KSA 7: 19[27, 28, 35, 36, 41, 45, 64, 83]. See also: 23[14] 7.544f.; 23[45] 7.558f.; 28[8] 7.625f.. This relation between philosophy and *Wissenschaft* is by no means confined to the early Nietzsche: see e.g. GS 373 3.624; BGE 211 5.145; cf. 26[407] 11.258f., 38[13] 11.612.

¹³ GS 109; BGE 21, 22; 23[427] 11.125; 36[18] 11.559; 40[55] 11.655; 2[139] 12.135; 2[142] 12.137; 14[79] 13.257f.. See also 11[311] [313] 9.

¹⁴ On the critique of regularity in nature, see also 2[142] 12.137; 14[79] 13.257.

¹⁵ Operational uses of 'Gesetz' in the context of knowledge claims regarding nature or life include: with reference to the Will to Power: 43[2] 11.702 (see also 11[21] 9.450; 39[13] 11.623; 25[314] 11.93); with reference to the inorganic (*das Unorganische*): 26[36] 1.157; 11[70] 9.468 ('die todte Welt'); with reference to the organic (*das Organische*): 16[76] 10.525; 26[81] 11.170. Of particular importance for Nietzsche as a domain of *Gesetz* is physiology: for law and drives (*Triebe*) see D 119 3.111 (cf. D 108 3.95; 1[58] 12.25; for law and the feeling of pleasure/unpleasure (*Lust-/Unlust-Empfindung*) see GS 162 3.498 (cf. 25[460] 11.135; 11[334] 9.572). Perhaps most striking of all are Nietzsche's affirmative uses of 'Gesetz' in the expressions 'the law of life' (*Gesetz des Lebens*: GM III

27 5.410; *TI* Antinature 6 6.87; AC 57 6.242f.; 14[92] 13.268; 22[23] 13.594) and the 'law of development' or 'evolution' (*Gesetz(e) der Entwicklung*: AC 7 6.173 11[361] 13.159).

¹⁶ For the "laws" of optics' ("Gesetze" der Optik): 26[359] 11.244; cf. 6[441] 9.311f. For 'laws of perception' ('Empfindungsgesetze'): 27[37] 7.598; also GS 162 3.498 ('perspectivische Gesetz der Empfindung'). For similar formulations ('Gesetze der menschlichen Empfindung', 'Gesetze der Perspektive', 'Gesetze dieser höchsten Optik') see 27[77] 7.609f; 29[8] 7.625; 29[12] 7.627; 6[429] 9.308; 6[433] 9.309; 15[9] 9.637. The 'Gesetze der menschlichen Empfindung' are in turn referred to our conditions of existence (*Existenzbedingungen*): see 25[460] 11.135; 6[8] 12.236.

¹⁷ They serve the ends of signification, mutual understanding (*Bezeichnung, Verständigung*), calculation (*unserem Hausgebrauch der Berechnung*) and mastery over nature (*Beherrschung*); not, however, explanation: see BGE 21 5.36; 38[2] 11.597; 26[227] 11.209; 7[14] 12.299; 14[79] 13.257f..

¹⁸ 'Formel', 'Schema', 'Bild' oder 'Chiffrenschrift' einer 'unbekannten Sache' (6[429] 9.308; 19[48] 7.434f; D 121 3.115; vgl. D 243 3.202; 2[139] 12.135).

¹⁹ VM 9 2.384; 2[142] 12.137; cf. 14[79] 13.257.

²⁰ Alwin Mittasch, *Friedrich Nietzsche als Naturphilosoph* (Stuttgart: Kröner Verlag, 1952), 101.

²¹ See 1[30] 12.17f; cf. 7[9] 12.29 and 7[34] 12.306; 14[79] 13.258f.; 36[31] 11.563; BGE 36 5.35; also 26[81] 11.170 for the first formulation of the 'inner' in connection with law.

²² 36[31] 11.563; 43[2] 11.702.

²³ VPP 10 KGW II/4.281 = the lectures: *Die vorplatonischen Philosophen*. In *Nietzsche Werke, Kritische Gesamtausgabe*, (=KGW), G. Colli and M. Montinari eds., Berlin/NY: De Gruyter, 1967ff.), vol. II/4.

²⁴ For immanent or absolute lawfulness in Heraclitus, see also:

26[67] 11.166 (1884); VPP 10 KGW II/4; 19[114] 7.456; 21[9] 7.525; 23[35] 7.555; 6[21] 8.106; PTG 19 1.869 for Nietzsche's Heraclitean interpretation of Anaxagoras. Also 38[12] 11.611 for a late Heraclitean vision.

²⁵ See Albert Jungmann, *Goethes Naturphilosophie zwischen Spinoza und Nietzsche: Studien zur Entwicklung von Goethes Naturphilosophie bis zur Aufnahme von Kants "Kritik der Urteilskraft"* (Frankfurt am Main: Peter Lang, 1989), 179-182.

²⁶ Although it falls outside the scope of this paper, the affinities with Goethe on immanent lawfulness call for research into possible affinities with his concept of necessity or *ananke* as well.

²⁷ Werner Stegmaier. *Nietzsches "Genealogie der Moral"* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1994), 86.

²⁸ On Nietzsche's dynamic, relational concept of force (*Kraft*) and its sources, see: Günter Abel, *Nietzsche: Die Dynamik der Willen zur Macht und die ewige Wiederkehr* (Berlin & New York: De Gruyter, 1984), 6-27; Mittasch, 102-113. On Nietzsche's concept of power (*Macht*), see also Volker Gerhardt. *Vom Willen zur Macht: Anthropologie und Metaphysik der Macht am exemplarischen Fall Friedrich Nietzsches* (Berlin & New York: De Gruyter, 1996), 155-161, 203-245, 285-309.

²⁹ See 2[142] 12.137 above. Also 9[91] 12.383:

'Towards the fight against determinism. / That something proceeds with regularity and proceeds in a calculable way does not imply that it proceeds with necessity. That a quantum of force is determined and behaves in one and the same manner in every particular case does not make it into the "unfree will". [...].

(*Zur Bekämpfung des Determinismus. / Daraus, daß Etwas regelmäßig erfolgt und berechenbar erfolgt, ergibt sich nicht, daß es notwendig erfolgt. Daß ein Quantum Kraft sich in jedem bestimmten Falle auf eine einzige Art und Weise bestimmt und benimmt, macht ihn nicht zum „unfreien Willen“.*)

³⁰ See e.g. 2[142] 12.137, where Nietzsche criticises the concept of "lawfulness" as follows:

'That something always occurs thus-and-thus [*immer so und so geschieht*] is interpreted here as as if a being always acted thus-and-thus as a consequence of an obedience to a law or lawgiver: while it, disregarding the "law", would have had freedom [*abgesehen vom "Gesetz", Freiheit hätte*] to act otherwise.'

³¹ Cf. 26[296] 11.228: 'Removal of the will, the free and unfree. / of the "must" and of "necessity" [...]' (*Beseitigung des Willens, des freien und unfreien. / des "Muß" und der "Nothwendigkeit"*).

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