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Michael Pantazakos*

INTRODUCTION

Nietzsche in Book II of *On the Genealogy of Morals*¹ posits sovereignty, that is, personal sovereignty as a process describing the individual's effort in becoming—and ultimately overcoming—what one is. Nietzsche's "sovereign individual"² is predicated on exercising the capability of making and abiding by promises, especially "in the face of accidents, even in 'the face of fate' [*es selbst gegen Unfälle, selbst »gegen das Schicksal« aufrechtzuhalten*]."³ While sovereignty thus begins (and never ends) as an internalized means of radical autonomy, its externalizing aspect is the product of a necessarily self-guarding nobility yet opening to all, as Nietzsche put it, a "hospitable gate"⁴ (*eine gastfreundliche Pforte*).

Since the concept of the sovereign individual is neither simple nor without controversy and misconception regarding its proper role in Nietzsche's overall project of natural human ascent, I will first endeavor to offer a limited but close reading focusing upon the essential conditions necessary for the thrust of the mere idea to compass what he called a "paradoxical task"⁵ (*paradoxe Aufgabe*). And then, I will later attempt to exemplify Nietzsche's idea in the person of Abraham, similarly with a limited but close reading of the biblical text.

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¹ FRIEDRICH NIETZSCHE, *ON THE GENEALOGY OF MORALS AND ECCE HOMO* (Walter Kaufmann ed., trans., Vintage Books 1989) [hereinafter GM].

² *Id.* at 59.

³ *Id.* at 60.

⁴ FRIEDRICH NIETZSCHE, *Book III, Aphorism #174*, in *DAYBREAK: THOUGHTS ON THE PREJUDICES OF MORALITY* 95, 105–06 (Maudemarie Clark & Brian Leiter eds., R.J. Hollingdale trans., 1997).

⁵ GM, *supra* note 1, at 57.

I.

A person, to separate the necessary from the accidental⁶ (*das nothwendige vom zufälligen*), to calculate in this way, must himself become “calculable, regular, necessary, even in his own image of himself, if he is to be able to stand security (*gut sagen*, vouch for) for his own future.”⁷

This is precisely how responsibility originates, in the “long story”⁸ (*lange Geschichte*) of how one becomes answerable for what one is, the “tremendous labor”⁹ (*ungeheure Arbeit*) of the “morality of mores”¹⁰ (*Sittlichkeit der Sitte*: “sitte” meaning mores, customs, comity, mutual courtesy, civility, traditions, even common decency).

The metaphorical “fruit”¹¹ (*Frucht*) of the tree of the morality of mores is the sovereign individual¹² (*souveraine Individuum*), defined by “an independent, protracted will and the right to make promises.”¹³ Note Nietzsche’s expression, *der wirklich versprechen darf*, to be allowed to promise, i.e., not *können* (can) but *dürfen* (may), a modal verb expressing not only permission, rather than tyranny, but also politeness and, subjunctively, possibility—ideally, likelihood.

Nietzsche subtly challenges patriarchal sovereignty here in as much as the feminine, *Frucht*, necessitates by his own diction the Gallic, not Germanic, *souveraine*, the Empress, not Emperor, and then moves quickly beyond gender by positing the Latin neutral form of *Individuum*, i.e., the indivisible entity. And by way of fruitful anticipation of Part II of this Article, I can note here that Abraham, the “father,” is at his most shockingly flawed, lacking a beneficial sovereignty, in exercising power over women, indeed, two *souveraines* women: his wife, Sarah, whose name means “princess” and his wife’s maid, Hagar, who (in the Midrash) was Pharaoh’s daughter and thus herself an actual princess and later became Abraham’s

⁶ *Id.* at 58.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.* at 59.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

second wife. His failures with both wives are counted among the worst trials in his life, a few of which I will discuss below.

The sovereign individual ultimately bears the “privilege of responsibility”¹⁴ (*Privilegium der Verantwortlichkeit*) so deeply ingrained that it becomes “instinct”¹⁵ (*Instinkt*), but one with full awareness, in short, “conscience”¹⁶ (*Gewissen*).

Nietzsche’s use of the Latin *Privilegium* adds more complexity than would have the loanword *Privileg* or German *Vorrecht*, meaning, a prerogative. In Roman Law, a *privilegium* was “a special constitution by which the Roman emperor conferred on some single person some anomalous or irregular right, or imposed upon some single person some anomalous or irregular obligation, or inflicted on some single person some anomalous or irregular punishment.”¹⁷ The responsibility of making a promise and, indeed, keeping your word, might simultaneously confer rights, obligations, and potentially punishment, but not through an external agent (an emperor) but rather by dint of your own self-sovereignty. The sovereign individual is answerable, but to himself.

The culmination, however, of the sovereign individual is in the external power of an internal justice that “ends, as does every good thing on earth, by overcoming itself (*sich selbst aufhebend*). This self-overcoming of justice: one knows the beautiful name it has given itself—mercy (*Gnade*). It goes without saying that mercy remains the privilege (*Vorrecht*) of the most powerful man, or better, his—beyond the law (*Jenseits des Rechts*).”¹⁸

A terminus for humankind here is reached, less in the sense of an end achieved and more in a boundary met, a true *terma* (τέρμα), to use the ancient Greek, against which there is yet another beyond, an *overcoming* of humanity where the sovereignty of self-power yields. The individual remains for Nietzsche always human, even in overcoming his humanity, but in this state of *Gnade*, “grace” that is “beyond the law,” he occupies less a place than a space where apparent oppositions of fate and

¹⁴ *Id.* at 60.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Privilegium*, BLACK’S LAW DICTIONARY (2d ed. 1910) (emphasis added).

¹⁸ GM, *supra* note 1, at 73

freedom, necessity and creativity, do not reconcile but at least can meet in a moment of “strategic possibility.”¹⁹

Gnade, meaning mercy, grace, pardon, but particularly in the sense of **unaccountable** forgiveness: a pardoning that is unaccountable in not calling to account the transgressor unable to pay the debt of his sins²⁰ (*Zahlungsunfähigkeit*), but also a pardoning that is in the view of only weaker eyes unaccountable, i.e., strange, inexplicable.

But for Nietzsche, the eyes of a justice that can exist beyond the law are not blind, as he most beautifully expressed in *Thus Spake Zarathustra* (“The Bite of the Adder”):

Nobler is it to own oneself in the wrong than to establish one's right, especially if
one be in the right. Only, one must be rich enough to do so.
I do not like your cold justice; out of the eye of your judges there always glanceth
the executioner and his cold steel.
Tell me: where find we justice, which is love with seeing eyes?
Devise me, then, the love which not only beareth all punishment, but also all guilt!
*Devise me, then, the justice which acquitteth every one except the judge!*²¹
*Vornehmer ist's, sich unrecht zu geben als recht zu behalten, sonderlich, wenn
man recht hat. Nur muß man reich genug dazu sein.*
*Ich mag eure kalte Gerechtigkeit nicht; und aus dem Auge eurer Richter blickt
mir immer der Henker und sein kaltes Eisen.*
Sagt, wo findet sich die Gerechtigkeit, welche Liebe mit sehenden Augen ist?
*So erfindet mir doch die Liebe, welche nicht nur alle Strafe, sondern auch alle
schuld trägt!*
*So erfindet mir doch die Gerechtigkeit, die jeden freispricht, ausgenommen den
Richtenden!*²²

¹⁹ See Christa Davis Acampora, *On Sovereignty and Overhumanity: Why It Matters How We Read Nietzsche's Genealogy II:2*, in *NIETZSCHE'S ON THE GENEALOGY OF MORALS: CRITICAL ESSAYS* 147 (Christa Davis Acampora ed., 2006) (discussing and quoting RICHARD J. WHITE, *NIETZSCHE AND THE PROBLEM OF SOVEREIGNTY* (1997)).

²⁰ GM, *supra* note 1, at 72.

²¹ FRIEDRICH NIETZSCHE, *THUS SPAKE ZARATHUSTRA* 328–29 (Thomas Common trans., 1999).

²² FRIEDRICH WILHELM NIETZSCHE, *ALSO SPRACH ZARATHUSTRA: EIN BUCH FÜR ALLE UND KEINEN* Bd. I, 97–98 (Chemnitz: Verlag von Ernst Schmeitzner 1883).

II.

The biblical figure of Abraham, whose promise was ceaselessly tested by an ineluctable *amor fati*, may be an exemplar of the sovereign individual, but perhaps even more for what lies beyond it, not only in profoundly private struggles but even on the public stage, where he intervened in a war between monarchs—indeed, finding himself siding with the Kings of Sodom and Gomorrah.²³ However, Abraham showed himself a sovereign above these tyrants by abiding by the Covenant, the promise made, in rejecting the sin of Sodom, i.e., the baseless hatred that results from insisting precisely, exclusively upon one's own legal rights, often cruelly no less and often tragically no more.²⁴ And yet, also, finding himself further siding with Sodom in arguing against **divine** sovereignty, rising above himself in rising up to stand security **against** the destruction of Sodom and in the noblest theater of pardoning to stand security **for** *Gnade*, for unaccountable grace and mercy.

The tale of Abraham in the *Book of Genesis* is, no doubt, a *lange Geschichte*, a “long story.” But we could still in short frame it along the arc of his resisting, his overcoming sovereignty, testing and proving his Nietzschean *Macht*, power, as he continually bested mightier opponents: his father, his king, his homeland, the kings of his new land (not yet or even ever *his*, of course), and—surprisingly, only *penultimately*—his God.

We see Abraham opposing the sovereignty of his father (as per the Midrash, smashing Terah's idols for sale); then opposing the sovereignty of his home town, Ur (as per the Midrash, surviving being cast into a fiery furnace by Nimrod—or in another less dramatic tradition, surviving a fiery face-to-face argument with Nimrod); then opposing the sovereignty of his entire homeland “of the Chaldees” (setting on his long journey from **אור כַּשְׁדִּים**/*ur kasdim* to his promised land); then opposing the sovereignty of the kings of Canaan, both enemies (Amraphel [Nimrod] the king of Shinar, Arioch the king of Ellasar, Chedarlaomer the king of Elam, and Tidal the king of Goyim) as well as ersatz “allies” (Bera the king of Sodom and with Birsha the king of Gomorrah, Shine'av the king of Admah, and Shemeiver the king of Tzeboi'im, and the king of Bela, which is Tzo'ar); then opposing God in challenging the decree against Sodom and Gomorrah; and then, finally, opposing

²³ See *Genesis* 18:16–33.

²⁴ *Id.* at 14.

himself in the ultimate test of power and justice and pardoning, the Binding of Isaac (עֲקִידַת יִצְחָק).²⁵

“The LORD said to Abram, ‘Go forth (לֵךְ לְךָ) from your native land and from your father’s house to the land that I will show you.’”²⁶

לֵךְ—*lekh*, meaning the imperative “go” but also related by the same root (לָךְ) to *halakhah*, Jewish law, i.e., following the law *is* “the way to go,” the external general imperative being internalized into specific individual action; and, לְךָ—*le’kha*, combining preposition (לְ) and objective pronoun (כָּ) to mean not only “for yourself” (indicating the self as the *beneficiary*) but also “to yourself” (indicating the self as the *destination*).

Abraham journeys both for his own good and simultaneously to find himself, i.e., to begin the process, the “tremendous labor”²⁷ (*ungeheure Arbeit*) of becoming what he is. God keeps the end of Abraham’s sojourn obscure, “to the land that I will show you,”²⁸ fitting perfectly the Nietzschean concept that becoming is distinct from being: “Becoming does not aim at a final state, does not flow into ‘being’ [. . .] Becoming is of equivalent value at every moment.”²⁹ (*Das Werden hat keinen Zielzustand, mündet nicht in ein »Sein«*. [. . .] *Das Werden ist wertgleich in jedem Augenblick*).³⁰ Even the promise of Abraham being blessed himself and being a blessing to others in the uncertain future is fraught with present calamities in the here and now.³¹

Abraham’s becoming a sovereign individual was a “tremendous work” indeed: not for nothing is he said³² to have famously endured (עֲשָׂרָה נִסְיוֹנוֹת) ten trials.

²⁵ See *Genesis*.

²⁶ *Id.* at 12:1.

²⁷ GM, *supra* note 1, at 59.

²⁸ *Genesis* 12:1.

²⁹ FRIEDRICH NIETZSCHE, *THE WILL TO POWER* 378 (Walter Kaufmann trans., Vintage Books 1968).

³⁰ FRIEDRICH NIETZSCHE Bd. III, *in* WERKE IN DREI BÄNDEN (München: Carl Hanser Verlag 1954).

³¹ RABBI SHLOMO YITZCHAKI (RASHI), RASHI ON GENESIS 12:2–3 (1040–1105 CE) [hereinafter RASHI] (citing BEREISHIT RABBA (GENESIS RABBAH) 39:11 (500 CE) [hereinafter BEREISHIT RABBA] (“Since travelling is the cause of three things—it decreases (breaks up) family life, it reduces one’s wealth and lessens one’s renown, he therefore needed these three blessings: that God should promise him children, wealth and a great name.”)).

³² Mishnah, Pirkei Avot 5:3.

Before concluding by focusing on one of them, I must note what major event in Abraham's life is not included among his trials: Abraham's challenging God's decision to destroy Sodom and Gomorrah.

"And Abraham approached and said, 'Will You even destroy the righteous with the wicked?'"³³ Abraham's "approach" here is expressed by a verb (װײַגאַשׁ/*vayigash*) otherwise used in the sense of coming near to *wage war*.³⁴ But this is not a battle of arms, of course: it is a trial, just not Abraham's. In this grandest theater of pardoning, while God is the judge (הַדַּיָּן), Abraham's role is that of counsel for the defense (הַסַּנְגֹּר), a Talmudic term originally from the Greek *συνήγορος*³⁵—according to one view, a single "sanegor" is worth 999 accusers.³⁶ And to argue for the sake of others is not a matter of personal tribulation but righteousness. Compare Abraham who attempted to save others with Noah who did not: against his own generation, Noah was accounted righteous, but had he lived in the generation of Abraham he would have been accounted as of no importance.³⁷ In the case of Abraham, scripture says, "[God] before whom I walked"³⁸; while Noah needed God's support to uphold him in righteousness, Abraham drew his moral strength from himself and walked in his righteousness by his own effort.³⁹

Abraham certainly had no love lost for Sodom and Gomorrah. As noted above, one of his trials was that he was drawn into a war against four other Canaanite sovereigns fighting on the side of these wicked cities.⁴⁰ Yet, in his defense of Sodom, Abraham also was said to approach God in a state of war. But even more profoundly, Abraham in the midst of that battle appears to be *defending* God as well: "Far be it from You to do a thing such as this, to put to death the righteous with the wicked so that the righteous should be like the wicked. Far be it from You! Will the Judge of the entire earth not perform justice?"⁴¹ And, indeed, with that last question, Abraham extends his defense to *all* humankind: seeing that You are the Judge of the entire

³³ *Genesis* 18:23.

³⁴ RASHI, *supra* note 31, at 18:23 (citing BEREISHIT RABBA, *supra* note 31, at 49:8).

³⁵ *Id.*

³⁶ Babylonian Talmud, Shabbat 32a.

³⁷ *Id.* at 108a; RASHI, *supra* note 31, at 6:9.

³⁸ *Genesis* 24:40.

³⁹ RASHI, *supra* note 31, at 24:40 (citing BEREISHIT RABBA, *supra* note 31, at 30:10).

⁴⁰ *Genesis* 14.

⁴¹ *Genesis* 18:25.

earth (הַשֵּׁפֵט כְּלִי־הָרִי) “if You will judge people based on the conduct of the majority You would eventually be forced to destroy mankind, seeing that most people everywhere are wicked.”⁴² One here easily thinks of Shakespeare’s *Hamlet*: “Use every man after his desert, and who shall ’scape whipping? Use them after your own honour and dignity. The less they deserve, the more merit is in your bounty.”⁴³ And in an impassioned manner far more galling to our self-importance but born of “a love with seeing eyes” (*Liebe mit sehenden Augen*), what Kazantzakis, that great devotee and disciple of Nietzsche,⁴⁴ declared about man in *Zorba*:

Is he good? Or is he bad? That’s the only thing I ask nowadays. And as I grow older—I’d swear this on the last crust I eat—I feel I shan’t even go on asking that! Whether a man’s good or bad, I’m sorry for him, for all of ’em. The sight of a man just rends my insides, even if I act as though I don’t care a damn! There he is, poor devil, I think; he also eats and drinks and makes love and is frightened, whoever he is: he has his God and his devil just the same, and he’ll peg out and lie as stiff as a board beneath the ground and be food for worms, just the same. Poor devil! We’re all brothers! All worm meat!⁴⁵

*Είναι καλός, είναι κακός, αυτό μονάχα τώρα ρωτώ. Κι όσο γερνώ, ναι, ματο γωμί που τρώγω, μου φαίνεται πως θ’ αρχίσω κι αυτό να μην το ρωτώ. Μωρέ, δεν πάει να είναι καλός ή κακός! Όλους τους λυπούμαι, το σπλάχνο μου σκίζεται όταν δω έναν άνθρωπο, κι ας καμώνομαι πως δε μου καίγεται καρφί. Να, λέω, κι ο φουκαράς ετούτος τρώει, πίνει, αγαπάει, φοβάται, έχει κι αυτός το Θεό του και τον αντίθεό του, θα τα κακαρώσει κι αυτός και θα ξαπλωθεί τέζα στο χόμα, θα τον φάνε τα σκουλίκια . . . Έ τον κακομοίρη! αδέρφια είμαστε όλοι . . . Κρέας για τα σκουλίκια!*⁴⁶

Nevertheless, even given that reality, the fate awaiting us all at any moment (or, one might say, happening to us at every moment), Abraham is still depicted as always keenly aware of boundaries and “scrupulous” in defining and insisting upon

⁴² RABBI OVADIAH BEN JACOB SFORNO, SFORNO ON GENESIS 18:25 (c. 1475–1550 CE).

⁴³ WILLIAM SHAKESPEARE, *HAMLET* act 2, sc. 2.

⁴⁴ See Morton P. Levitt, *The Companions of Kazantzakis: Nietzsche, Bergson and Zorba the Greek*, 14 *COMPAR. LITERATURE STUD.* 360 (1977).

⁴⁵ NIKOS KAZANTZAKIS, *ZORBA THE GREEK* 226 (Carl Wildman trans., Simon & Schuster 1953).

⁴⁶ Νίκου Καζαντζάκη, *Βίος και Πολιτεία του Αλέξη Ζορμπά* (H. Kazantzakis ed., 8th ed. 1968).

especially “property boundaries between himself and others.”⁴⁷ Thus, Abraham and his nephew Lot separated, and Lot chose to live in Sodom, where he found himself a captive of war, with Abraham choosing to come to his rescue and restoring his possessions.⁴⁸ Sodom, by contrast, “disrespect[ed] property systematically—giving away what is not theirs to give, not troubling themselves to know when their men are stealing, and giving ‘gifts’ that they will surely reclaim later.”⁴⁹ Thus, we see Abraham, the victor, absolutely refusing to share in any of the spoils: “And Abram said to the king of Sodom, ‘I raise my hand to the Lord, the Most High God, Who possesses heaven and earth. Neither from a thread to a shoe strap, nor will I take from whatever is yours. . . .’”⁵⁰

In fighting for Sodom, and later in defending Sodom, Abraham still maintained this boundary, still held firmly this line. And yet, the sin of Sodom was a perversion of this, for “one who says what is mine is mine and what is yours is yours . . . this is the trait [*middat*] of Sodom” (תְּאוֹמֵר שְׁלִי שְׁלִי וְשִׁלְךָ שִׁלְךָ . . . זוֹ מִדַּת סְדוֹם).⁵¹ The “*middat*” of Sodom, literally, the “measure” of whom the people of this city are, is that each man insisted on his legal rights to the last degree, inculcating in them an arrogant lack of generosity, such that even if it cost them nothing no one would countenance a beneficial act for another.⁵² As noted above, Abraham could not be bought off by the King of Sodom—he was, in Nietzschean terms, a “‘free’ man”⁵³ („*freie*” *Mensch*), which in turn is defined by an entirely different kind of “*middat*,” for the sovereign individual possesses a “measure of value”⁵⁴ (*Werthmaass*) for those whom he honors—those “whose trust is a mark of distinction, who give their word as something relied on”⁵⁵—and for those whom he despises—those “feeble

⁴⁷ YORAM HAZONY, *THE PHILOSOPHY OF HEBREW SCRIPTURE* 112 (2012).

⁴⁸ *Genesis* 14:12–16.

⁴⁹ HAZONY, *supra* note 47, at 112.

⁵⁰ *Genesis* 14:22–23.

⁵¹ Mishnah, Pirkei Avot 5:10.

⁵² OVADIAH BARTENURA, *BARTENURA ON PIRKEI AVOT* 5:10 (1482 CE).

⁵³ GM, *supra* note 1, at 60.

⁵⁴ *Id.*

⁵⁵ *Id.*

windbags who promise without the right to do so” and the “liar who breaks his word even at the moment he utters it.”⁵⁶

Against these lowest types, these men of *Ressentiment*, even in the humble charity of defending them, of asking for them pardon, Abraham holds the line—but only so that he can, לָךְ לָךְ, *for* himself and *to* become himself, *go* beyond it and overcome his own sovereignty—for the “middat,” the measure of Abraham is לְפָנָיו מִשׁוּרַת הַדִּין (*lifnim mishurat hadin*),⁵⁷ to go beyond the letter—rather, the “shurat,” the line of the law—or as Nietzsche put it, *Jenseits des Rechts*.⁵⁸

Only then can an individual be more than merely right, but righteous. Only then can a person be blessed . . . and be a blessing.

⁵⁶ *Id.*

⁵⁷ Babylonian Talmud, Bava Metzia 30b.

⁵⁸ GM, *supra* note 1, at 72.