

Nietzsche in the Penal Colony

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In *Twilight of the Idols* Nietzsche's polemic against the modernist credo *l'art pour l'art* poses a refreshingly blunt challenge to the idea that works of fiction are without purpose or extra-aesthetic significance: "When one has excluded from art the purpose of moral preaching and human improvement it by no means follows that art is purposeless, goalless, meaningless, in short *l'art pour l'art*—a snake biting its own tail."¹ The meaning of art, for Nietzsche, while it might not feature didactic aims or emancipatory projects, is not merely incidentally tied to life; instead "the meaning of art . . . is life." Nietzsche's replacement dictum for *l'art pour l'art* suggests a relationship between art and life which seems to eliminate the idea of a special mode of meaning; and arguably it better pictures the actuality of modernism than the apparently narrow aestheticism of the modernist credo. Among the reasons that Nietzsche gives for not wanting to sever art from life is to preserve, presumably in ways unique to art, its role in illuminating life or the life-world, in particular what "is ugly, hard, questionable in life."² In this paper, I try to accommodate the intent behind Nietzsche's critique of pure aestheticism, through a comparative reading of Kafka's short story "In the Penal Colony" and the second essay of Nietzsche's *On the Genealogy of Morals*, but argue for an ontology of fictional meaning which allows for a far more charitable construal of the modernist credo, one which is commensurate with Nietzsche's phenomenological aesthetics and which implies a unique role for artistic representation.

I

Kafka's story mimetically exploits Robert Heindl's 1913 report on the penal colonies of India and New Caledonia *Meine Reise nach den Strafkolonien* (My Journey to the Penal Colonies),³ in its fairly clear allusions to the New Caledonia penal colony and by centering the narration around a visitor-explorer who approximates Heindl's general attitude toward penal colonies. Beyond these elements of realism, the story, less conspicuously, mimetically recovers Nietzsche's genealogical discourse on punishment, justice and the bad conscience, the main topics of his second essay in the *Genealogy*. None of the narrative utterances or character speeches explicitly invokes Nietzsche's discourse, even when the officer discusses older and newer conceptions of justice. Instead the story represents the genealogical themes of justice and punishment indirectly, in the extravagant and elusive fictional device of the torture machine, and with the help of more straightforward narrative techniques. The narrative description of the condemned man in the opening paragraph provides an instance of a relatively straightforward mimetic technique, in that it represents its informing intellectual context transparently at the level of language, in terms that closely resemble the terms of the context it recovers. The narrator describes the condemned man as "a stupid-looking wide-mouthed creature with bewildered hair and face." Heindl might have supplied a stereotypical description of the primitive of this kind, but mimetically the narrator's description is considerably more involved. It conjures a bifurcation of humans into 'primitive' and 'civilised' that specifically informs the starting thesis of Nietzsche's essay on punishment. Nietzsche's thesis, as Kafka would have known, is intended as the first part of his answer to a question that Rousseau famously raised in *The Social Contract* and in

Discourse on the Origin and Basis of Inequality Among Men: “How is it that civilisation produces a remarkable change in the natural human animal, “lift[ing] him for ever from the state of nature and from a narrow, stupid animal [making] a creature of intelligence and a man” (*The Social Contract*, Bk I, Chapter 8).

The first stage of Nietzsche’s answer to Rousseau’s question is that this “remarkable change” is brought about by instilling “in the natural human animal”—the “stupid-looking wide-mouthed creature” about to be condemned at the outset of Kafka’s story—a *memory* for his social obligations, for keeping his promises, so that he’ll pay his debts and follow whatever social rules are required for civil society to exist – e.g. in the story saluting every hour in front of a closed door. How does society, at this stage and later, instil a memory? This is a trick question in both Nietzsche’s essay and in Kafka’s story. Nietzsche’s *apparent* answer is that early society instilled a moral memory by imposing the most brutal punishments on its “semi-animal” members whenever they forgot their obligations. Such an account might suggest that Nietzsche is offering a relativized defence of an early form of retributive justice. In fact he offers the hypothesis that the “oldest state” was instituted and maintained by “a fearful tyranny” that applied punishment *without constraining ideals of justice*, adventitiously and in order to make its populace pliant (*GM 17⁴*). Mechanisms of punishment on Nietzsche’s account, and in Kafka’s story, do not help to instil, and are just as liable to interfere with (*GM 14*), the kind of memory eventually required by civil society; they merely frighten a populace of “semi-animals”—Kafka’s condemned man—into submission. By extension when civil society today reverts to tactics similar to those of the “tyrannical state,” in the systems of penal institutions and when it suspends individual rights or collapses due process, it obscures how the kind of autonomous individuals that civil society purports to encourage actually develop. From the view of Nietzsche’s critique, when the modern state reverts to forms of tyranny, it opens a window into the past through which the radical separation of punishment and justice becomes clearer.

The second stage of Nietzsche’s answer to Rousseau’s question is that “the natural human animal” only properly enters late-civil society when he develops a “bad conscience,” which Nietzsche characterises as a productive “illness” that the human animal “contract[s] under the stress of the most fundamental change he ever experienced—that change which occurred when he found himself finally enclosed within the walls of society and of peace” (*GM 16*). Nietzsche offers an hypothesis, which would influence Freud’s theory of repression, suggesting how that ongoing event occurs:

All instincts that do not discharge themselves outwardly *turn inward*—this is what I call the *internalization* of man: thus it was that man first developed what was later called his ‘soul.’ The entire inner world, originally as thin as if it were stretched between two membranes, expanded and extended itself, acquired depth, breadth, and height, in the same measure as outward discharge was *inhibited*. (*GM 16*)

The conscience on Nietzsche’s theory gains a foothold, not as a result of the external pressures (systems of discipline and punishment) of the tyrannical state, but as a result of humans living for long periods in a society in which their natural impulses systematically turn inward, creating the transformation of natural man that Rousseau found so remarkable, and answering, by hypothesis, Rousseau’s question of how such a transformation is possible.

The penal colony's torture machine and the officer's casual extinction of due process ("Guilt is always beyond doubt") mimetically displays Nietzsche's primal, tyrannical state, in which punishment was only incoherently and incidentally connected to notions of justice. The machine's harrow, writing the sentence of the condemned into their flesh over a twelve hour ordeal, extends this connection to Nietzsche's influential thesis of the origin of the conscience. This unique function of the machine connects to Nietzsche's thesis by producing a consummate moment of understanding for the condemned, suggestive of an internalisation of the prescriptive sentence being inscribed on their body, and thus reducing the historical moment when "semi-animals" developed a memory, through a long process of internalisation "enclosed within the walls of society and of peace," into a single transformative moment in which "Enlightenment comes even to the most dull-witted [among the condemned]." ⁵ Instead of centuries "enclosed within the walls of society and of peace," the transformation of the condemned begins to occur after six hours, which would seem to direct a parody at systems of penal discipline and punishment reminiscent of this passage from the *Genealogy*, which could readily serve as a response to the officer's glowing explication of the machine's transformative powers:

Punishment is supposed to possess the value of awakening the *feeling of guilt* in the guilty; one seeks in it the actual *instrumentum* of the psychical reaction called "bad conscience," "the sting of conscience." . . . It is precisely among criminals and convicts that the sting of conscience is extremely rare; prisons and penitentiaries are not the kind of hotbed in which this species of gnawing worm is likely to flourish . . . Generally speaking, punishment makes men hard and cold; it concentrates; it sharpens the feeling of alienation; it strengthens the power of resistance. If it happens that punishment destroys the vital energy and brings about a miserable prostration and self-abasement, such a result is certainly even less pleasant than the usual effects of punishment. ⁶ (*GM* 14)

After rejecting the supposition that punishment has "the value of awakening the *feeling of guilt* in the guilty," Nietzsche, taking a rather wide perspective, offers his contrary view: "[I]f we consider those millennia *before* the history of man, we may unhesitatingly assert that it was precisely through punishment that the development of the feeling of guilt was most powerfully *hindered*—at least in the victims upon whom the punitive force was vented." Assuming that Kafka is recovering the *Genealogy's* discourse on punishment in his story, ⁷ the officer's assurance that the torture machine's victim invariably experiences an awakening realisation of guilt becomes an object of parody informed by Nietzsche's claim concerning the disjunction of systems of punishment and justice, and more particularly by the role his theory of the conscience plays in articulating an alternative account of the emergence of human autonomy.

The basis of Nietzsche's theory, which presumably didn't escape Kafka's reading of the *Genealogy*, might leave progressive advocates of penal reform feeling a little uncomfortable. In the section preceding his rejection of the punishment-awakens-guilt supposition, Nietzsche distinguishes between the relatively stable procedure(s) of punishment, which "will be something older, earlier than its employment in punishment," and the fluid meanings that "are projected and interpreted into the procedure (which has long existed but been employed in another sense)" (*GM* 13). Since the various meanings or interpretations "projected into" procedures of punishment have accumulated over a lengthy and radically discontinuous history, "the concept of 'punishment' ["in modern

Europe”] possesses . . . not one meaning but a whole synthesis of meanings.” Nietzsche expands this point in an insightful epigram – “all concepts in which an entire process is semiotically concentrated elude definition; only that which has no history is definable”—and concludes that “[t]oday it is impossible to say for certain why people are really punished” (*GM* 13), which would seem to undermine the cognitive basis of penal reform.

Nietzsche’s conclusion adds poignancy to the officer’s failed defence of the penal machine, and his subsequent self-sacrifice. Until the officer sentences himself to the judgement ‘Be just,’ which he discloses on a sheet of paper in a script that only he can decipher, he displays a *coherent*, albeit mad, grasp of the significance of punishment, whereas the new regime seems to be in no position to “say for certain why people are really punished.” The poignancy of his failure and his death doesn’t contribute narratively to any sense of nostalgia for older, semiotically primitive systems of punishment, but suggests another layer in an unfolding narrative joke surrounding the officer and his machine. On a fairly accessible level, this joke is disposed through the officer’s obsession over the machine, his persistent and yet surprisingly reflexive delusion that the explorer, who has taken a decisive position against the machine, might intervene on his behalf, and in the apparent absurdity of the machine’s purpose of awakening a moral sense in its victims before exterminating them. Within the structure of this elaborate narrative joke, the story’s mimetic recovery of Nietzsche’s critique leaves lingering the unsettling punch line that the concept of punishment is “indefinable” and so “[t]oday it is impossible to say for certain why we punish,” which suggests that even comparatively sane views of punishment and justice are groundless and expands the story’s engagement with modernity beyond the narrow issue of penal reform.

II

Kafka’s mimetic use of Nietzsche’s discourse on the origins of punishment, justice, and the conscience is *inherently* non-didactic. In saying that, I’m suggesting a point which less clearly holds for all works of fiction. In Kafka’s case, a reading which ignores the implicit censure of this claim, for example by turning the story into an allegory imparting the lesson of an implied social critique, would fundamentally misrepresent the techniques or features of his narrative art. In particular, such a reading would ignore the fact that Kafka *uses concepts and whole discourses as literary devices*. Whether Kafka had an interest in the political and social justice issues of the discourses he uses might be an interesting biographical question, but the issues *per se* have nothing to do with the narrative work that he has constructed. Another reason why we should avoid seeing Kafka’s story advancing, as opposed to using mimetically, a particular programme or critique is that such an approach dramatically narrows the field of truths which his narrative art suggests.

This formulation suggests a paradox, as it seems to have Kafka’s story serving incompatible purposes—offering discourses only as aesthetic/mimetic play and yet holding out the prospect of an expanded field of truths, or to put the suggestion more crudely, a wider, more complex message. That construal would misconceive the idea of discourse as mimesis, since the very idea of mimesis precludes explicit accuracy, explicit truth, and therefore is incompatible with the idea of an explicitly didactic art. The fictional devices

which comprise mimesis are wholly non-propositional; they express no truths, nor discourses if discourses are conceived as sets of truths interrelated in various ways. Does this claim become incoherent when the fictional device in question is a discourse? Literary devices after all presumably are used for expressive purposes, and if discourses are collections of interrelated truths, then it would seem that part of their aesthetic mandate is to express those truths.

To cut through the knot of this apparent paradox, I'll assert and briefly defend the following dictum: No work of fiction contains a single proposition, a single truth claim. An obvious objection to this assertion is that a propositionally meaningful sentence might occur both in a work of fiction and outside the work as a statement of truth. The objection can be strengthened by saying that if at least some of the mimetic concepts and assertions of a fictional work didn't refer to objects and facts of the real world, we would be unable to make sense of its language. There is an answer to that objection, suggested by this axiom: No sentence has meaning beyond a specific context. The same grammatical arrangement of the same words can therefore have distinct, perhaps contrary, meanings when we vary its context. This axiom holds even for sentences which express trivial truths. 'Black is black' could be expressing a trivial truth or it could be describing a complex set of facts of the world and interpretations, depending how the word 'black' is fleshed out in context. The grammatical arrangement of words could therefore refer to two or more semantically distinct sentences, which is what the thesis of linguistic indeterminacy allows. But for this or any sentence to express a truth, it can only have one meaning and one context, and settling on that context involves fixing a specific relationship between the language of the sentence and the real world, which is to say that indeterminacy of meaning doesn't apply as far as propositions, i.e. specific truth claims, though of course we can't always be assured that we have encountered a proposition, even when faced with symbols intended to express the propositions of logic and mathematics.

I have offered the start of an explanation of why no work of fiction contains a single proposition, a single truth claim. I'm tempted to solidify the assertion by simply observing that the context of a fictional work isn't the real world. But instead I'll suggest a qualified reversal of much of what I've said and make a straightforward claim about the relationship between mimesis and truth, and between aesthetic and real-world contexts. There is no end to the truths that the mimetic devices of a fictional work can suggest; to put the point positively, fictional devices, e.g. metaphor, can represent or suggest potentially an infinite number of truths. The luminous philosopher of language Donald Davidson offered that view in his landmark essay "What Metaphors Mean" (1978). For quite defensible reasons, he drew the erroneous conclusion that metaphors and other figurative devices are semantically empty. A more defensible and modest position is available. While it is true that metaphorical sentences, and sentences whose meaning derives from a fictional context, assert no truths, they are still meaningful and they can still *suggest* a great many truths. Invoking the distinction between *stating* and *suggesting* truths, I can summarise the view that I've been advancing: Only univocal declarative sentences, grounded exclusively in a real-world context, can state truths. The sentences of a fictional work by contrast, whether serving as a device or masquerading as propositions, can only suggest truths because their context, involving a mimetic relationship of fictional and real-world contexts, is mixed.

This limitation suffices to eliminate the very idea of an explicitly didactic work of art, even when the author or sponsors of a particular work had in mind that it should be explicitly instructive. The view that sentences in fictional works can only suggest truths means that, whatever the work might appear to say to us, its sentences escape the assignments of truth readers impose on them, and instead suggest, as Davidson says in “What Metaphors Mean,” a “potential infinitude” of truths. Put in that extravagant formula, we can find, with certain adjustments to Davidson’s view which I won’t offer here, an advantage in the fact that fictional works contain no truths. Even though they fail literally ever to instruct, they can engage us in ways that may cause us to become aware of a less rigidly arranged field of truths, which is a rather important promise of mimesis, certainly of the mimetic representation of discourses.

The modernist credo and the ontology of mimetic or fictional discourse: A represented discourse and the literary artwork in which it appears, from whose context it can’t be separated without changing its significance, is in a sense an end in itself. While the idea of mimesis implies a relationship between the fictional-aesthetic context of an artwork and the real-world context which it draws on and exploits, the relationship is aesthetic; the work uses the truths and concerns of real-world contexts as items or sources of aesthetic meaning, objects of aesthetic manipulation to be transformed by interpretive recovery, in theory without end. The field of meaning of a mimetic discourse accordingly is in theory endlessly open this sense, but literally closed to interpretations that aim to collapse mimesis into a form of correspondence, and to the imposition of reductive or finished views of the concerns of the world, which is to say of actual propositions. This implication suggests a sense in which art exists for itself, in which its essential meaning exists for its own sake even if endlessly alluding beyond itself. That qualified version of the credo is an implication of any ontology of mimesis that separates fictional meaning from truth conditions. From this standpoint it isn’t difficult to see that the modernist assertion of aesthetic autonomy is compatible with a phenomenological aesthetics of the kind that Nietzsche advanced in his polemic against a version of the assertion, provided we recognise that the epistemic capacity of art and fiction works indirectly and that the semantic structure of fiction never explicitly invokes a truth theory.

Notes

¹ *Twilight of the Idols*, ‘Expeditions of an Untimely Man,’ 24.

² *Ibid.*, p. 82.

³ Robert Heindl had been commissioned by the German government to report on the feasibility of overseas penal colonies (Zaslove, p. 28).

⁴ All references to *GM* are to sections of the second essay.

⁵ “In the Penal Colony,” p. 204.

⁶ This passage echoes sentiments that Robert Heindl expressed in “Penal Settlement and Colonization,” an article published in *The London Times* in 1922, a few years after “In the Penal Colony” first appeared in print. In the article, Heindl delivers a polemic against penal colonies everywhere, describing them as “dry guillotines” and unequivocally advocating their abolition.

⁷ Such an assumption is based on the internal evidence of the story. In “Nietzsche, Kafka and Literary Paternity,” Stanley Corngold offers that, “except for Selma Kohn’s letter to Max Brod,” which tells how Kafka had tried to seduce her using Nietzsche’s *Zarathustra*, and “recollections of friends that Kafka took part in discussions of Nietzsche,” “there are no hard data bearing on Nietzsche’s importance for Kafka.” Corngold then remarks that “[t]his state of affairs has led to a general agreement that, like Thomas Mann in *Doctor Faustus*, Kafka did not need to mention Nietzsche by name since he is everywhere in the work, like salt in seawater”

(146). It's also worth noting that the first time Kafka took an interest in Max Brod occurred after Brod had delivered a talk on Schopenhauer and Nietzsche in which he disparaged the latter. After the talk, Brod recalls in *Franz Kafka: A Biography*, that Kafka "saw [him] home" and "began with a strong protest against the extreme uncouthness of [his] way of putting things" (43-44).

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