Fichtean Kantianism in Nineteenth-Century Ethics

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ABSTRACT   This paper aims to establish a historical fact that is both surprising and universally overlooked: that J.G. Fichte's 1798 *System of Ethics* was seen, in the German-language philosophy of the first half of the nineteenth century, as the most important exemplar of systematic normative ethics on non-theological foundations. "Kantianism" during this period was taken to be better exemplified by Fichte's *System of Ethics* than by any of Kant's own works; and Fichte was both the starting point for proponents, and the chief target for opponents, of the Kantian project. After surveying the literature of the period with a view to establishing this fact, I draw from it three points of consensus about the relative merits of Kant's and Fichte's ethical writings that seem to explain Fichte's status. Two of these concern substantive philosophical disagreements between Kant and Fichte about how best to articulate the basic Kantian project, and they illustrate the enduring interest of Fichte's *System of Ethics*, which today is largely (and unjustly) neglected by historians of moral philosophy.

KEYWORDS   Kant, Fichte, Kantian ethics, nineteenth[th] century German philosophy

THIS PAPER HAS TWO AIMS. The first is to establish a historical fact that is both important and universally overlooked; the second to offer a partial explanation of that fact in the form of an elucidation of some of the philosophical reasons behind it.

The fact is that J.G. Fichte's 1798 *System of Ethics* was seen, in the German-language philosophy of the first half of the nineteenth century, as the most important exemplar of systematic normative ethics on non-theological foundations, and was both the chief target for opponents, and the starting point for proponents, of philosophical ethics so understood. Of course the dominant form of philosophical ethics in the German-language philosophy of the nineteenth century was Kantianism; and so another (and perhaps more surprising) way of stating my thesis is to say that the face of Kantian ethics during this period was not so much Kant himself as it was J. G. Fichte.

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The prominence of Fichte's ethical thought in this period is not reflected in the picture of the nineteenth century that dominates today's literature.[1] (In fact it seems to have been lost sight of more than a century ago, with the rise of neo-Kantianism.) Nor, as a result, has Fichte's full significance for the interpretation of many of that century's major figures been acknowledged. Of course there are some contexts in which the influence of Fichte's practical philosophy has been recognized.[2] But the near-ubiquity of the set of judgments I am about to describe is nowhere acknowledged. I do not know what further consequences its widespread acknowledgement might have for the interpretation of later nineteenth century German philosophy. The possibility that it might have none seems remote. But drawing out those consequences will not be my aim here.

Instead, I will focus on establishing the fact itself, and explaining it. I will begin by describing Fichte's place in the literature on ethics and its history in the first half of the nineteenth century (§1). Then I will draw out of that literature three judgments about the relative merits of Kant's and Fichte's ethical writings that seem to explain Fichte's status (§2). The second and third of these judgments concern substantive philosophical disagreements between Fichte and Kant about how best to articulate the basic Kantian project. I will discuss the third in some detail (§2.3, §3).[3] Throughout, I will confine detailed discussion of source material to footnotes. I expect the first half of this paper to interest, primarily, historians. The second half, which contains a brief exposition of the basic outlines of Fichte's moral theory and of some of the central claims of his moral psychology, will be of broader interest. The third section in particular is aimed not only at explaining one of the reasons for Fichte's importance in the nineteenth century, but also and primarily at illustrating the enduring interest of his ethical thought. I will conclude (§4) by describing two points of debate in contemporary Kantian ethics to which Fichte's views have special relevance.

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From around 1800 to 1850 Fichte's ethical writings got significantly more attention than Kant's (in terms of references in passing, and numbers of pages dedicated

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[1]The reception of Fichte's ethics in the nineteenth century—like Fichte's ethical thought itself—is not a major topic of scholarly research; even monographs on Fichte's thought do not mention it. Rohs, for instance, in an otherwise excellent survey of the *Wissenschaftslehre*'s reception, omits mention of the *Sittenlehre* in particular (Rohs, *Fichte*, 168–75). But even a recent paper dedicated specifically to the reception history of Fichte's *System of Ethics* (Zöller, "Two Hundred Years of Solitude") completely overlooks the literature I survey here. Zöller contends that the *System of Ethics* was eclipsed by the near-simultaneous publication of the *Metaphysics of Morals*, and that it did not receive serious attention prior to its reception by neo-Kantians at the end of the nineteenth and beginning of twentieth centuries ("Two Hundred Years of Solitude," 218, 223). These claims are contradicted by the evidence I present here.

[2]Scholarship on Hegel's practical philosophy recognizes Fichte's importance, though most emphasis there is placed (correctly) on his *Foundations of Natural Right*. For discussion of Fichte's influence on Marx, cf. e.g. Rockmore, *Fichte, Marx and the German Philosophical Tradition*. Seidel also notes the Marx connection, remarking that "the young Hegelians were not so much Hegelians as neo-Fichteans" (Seidel, *Johann Gottlieb Fichte zur Einführung*, 137). I myself first understood that Fichte's ethical thought was more prominent than Kant's in the Danish philosophical scene in the 1830s and 1840s some years ago (cf. Kosch, "Kierkegaard's Ethicist"). I learned only later that this local fact reflects a broader phenomenon in the German-speaking philosophical world, one that finds expression in the majority of German historians and moral philosophers writing in the first half of the nineteenth century.

[3]I discuss the second in Kosch, "Agency and Self-Sufficiency in Fichte's Ethics."

to exposition) from very many prominent authors,[4] around the same amount from very many more,[5] and even in the many works of this period in which more attention was focused on Kant's ethics, Fichte's was never ignored.[6,7] The contrast with 20th and early 21st century treatments of the history of ethics is striking.

It goes without saying that references and pages dedicated are crude measures of importance. The numbers are by no means meaningless, but what is more interesting is the explanation of them. That explanation lies in the conjunction of, on the one hand, a widely held view of Fichte's accomplishments as a moral philosopher relative to Kant's and, on the other, a fact about the course of philosophical history in the decades following the publication of the *System of Ethics* in 1798.

The majority assessment of Fichte's stature relative to Kant will be quite surprising to contemporary readers. Kant was universally recognized as a great innovator who overturned eighteenth-century assumptions, vanquished

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[4]Some works of history and systematic ethics in which Fichte's practical philosophy gets more exposition and/or references than Kant's: Schmidt, *Lehrbuch der Sittenlehre*; Ast, *Grundriss einer Geschichte der Philosophie*; Mehmel, *Lehrbuch der Sittenlehre*; Elvenich, *Die Moralphilosophie*; Michelet, *Geschichte*; I. H. Fichte, "Der bisherige Zustand."

[5]Some works of history and systematic ethics in which Kant's and Fichte's practical philosophies get roughly the same amount of attention: Schleiermacher, *Grundlinien einer Kritik*; Krause, *System der Sittenlehre*; De Wette, *Christliche Sittenlehre*; Salat, *Die Moralphilosophie*; Chalybäus, *Historische Entwicklung*; Biedermann, *Die deutsche Philosophie von Kant bis auf unsere Zeit*; Erdmann, "Pflichtenlehre" and *Versuch*; Feuerbach, *Pierre Bayle*.

[6]Some works of history, and works of systematic ethics with historical references, in which Fichte's practical philosophy gets less exposition and/or fewer references than Kant's, but still gets substantial attention: Meiners, *Allgemeine kritische Geschichte der ältern und neuern Ethik*; Vogel, *Lehrbuch der christlichen Moral* and *Ueber das Philosophische und das Christliche in der christlichen Moral*; Buchner, *Die ersten Grundsätzen der Ethik*; Thanner, *Lehr- und Handbuch der praktischen Philosophie für akademische Vorlesungen*; Schulze, *Enzyklopädie der philosophischen Wissenschaften*; Stäudlin, *Geschichte der Moralphilosophie* and *Neues Lehrbuch der Moral für Theologen*; Von Henning, *Principien der Ethik*; Wanker, *Christliche Sittenlehre*; Ammon, *Handbuch der christlichen Sittenlehre*; vols. 4 and 5 of Daub, *Philosophische und theologische Vorlesungen*; Bayer, *Betrachtungen*; Schopenhauer, *Grundprobleme*; Marheinecke, *System der theologischen Moral*. I found no works—apart from handbooks containing no historical references—in which Fichte's ethics gets no mention or its significance is entirely unacknowledged, with the puzzling exception of works by J. F. Fries. Fries's case is puzzling because although his emphasis on conscience calls Fichte strongly to mind (strongly enough that Wood suggests, plausibly, that Fries was influenced by Fichte [Wood, *Hegel's Ethical Thought*, 178–85]), Fries scrupulously avoids reference to Fichte in his ethical works (*Neue Kritik der Vernunft*, vol. 3; *Handbuch der praktischen Philosophie*), omits the *System of Ethics* from an otherwise complete discussion of Fichte's works of the 1790s in his work on the history of philosophy (*Die Geschichte der Philosophie*, 2:666), and in the one place at which he compares Kant's and Fichte's approaches explicitly (*Neue Kritik der Vernunft*, 3:120), does so in a way that suggests little familiarity with the *System of Ethics*.

[7]In posing the question, "How much attention did the ethical writings of Kant and Fichte get, respectively?" I focused on histories of philosophy in general and of ethics in particular, and on works of systematic moral philosophy (most of which were still being written by theologians, or at least for pastoral use, during this period). There are some works obviously important to the question to which I have not yet managed to gain access. But I have surveyed enough, and enough of the widely read and respected works (by which I mean the works that were often cited, that went through many German editions and/or were translated into other languages, and that were assigned as references by lecturers on the topic), to be confident in the claims made here. 1850 is in some respects arbitrary as a cutoff date, but it is motivated by two features of the literature of the second half of the nineteenth century: that literature is much more voluminous than that of the first half; and it is increasingly dominated by the return to Kant, which began already in the 1850s.

eudaimonism, and gave ethics a new foundation in the autonomy of the rational will.[8] But there was also a widely held view that his development of this great and original idea was both unsystematic and incomplete. Fichte's *System of Ethics* was seen by many as the most comprehensive and accomplished work of normative ethics in a Kantian spirit, overshadowing anything Kant himself wrote. (It is worth pointing out that this general judgment does not depend on any sympathy with the Kantian/Fichtean project: one also finds it among those for whom it is no service to humanity to have perfected Kantian ethics.[9]) Fichte's *System of Ethics* was taken to be the "completion" or "perfection" of the Kantian project by so many that virtually no one felt licensed to write about Kantian ethics without writing about its Fichtean instantiation. There were some who found Fichte's ethical writings inferior to Kant's for various reasons[10]—but the surprising fact is that they were in the minority.

The second part of the explanation is less surprising. It is simply that the first half of the nineteenth century produced no alternative to Kantianism (in the broad sense that encompasses Fichte's contribution), nor any contribution to Kantianism that could stand alongside Fichte's. Kant's criticisms of eudaimonism and perfectionism had largely succeeded in eliminating those alternatives from the scene; but there were also few contributions to philosophical ethics in a Kantian spirit in these decades. In fact (bizarre as this seems today), most post-Fichtean approaches treated ethics as a descriptive rather than a normative discipline, a branch of the philosophy of history, anthropology, psychology, or even physics. Ethics as a normative discipline, addressed to the deliberating agent and meant to articulate principles guiding practical deliberation, had fallen out of favor and is not meaningfully represented in the work of major post-Fichtean philosophers.

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[8]The fact that eudaimonism reigned in Germany when Kant came on the scene was a matter of universal agreement in the early nineteenth century (as it is today); likewise there was a consensus on Kant's extraordinary originality, and the controversy (and unease) provoked by his arguments.

[9]Schopenhauer, for example, in the second of his two prize essays, agrees that Fichte's ethics is the pinnacle of the Kantian program, and that the Kantian had been the reigning ethical program for the preceding fifty years (Schopenhauer, *Grundprobleme,* 113)—even as he repudiates that program. He argues against the adequacy of the Kantian account of the foundations of ethics, claiming that its imperatival form requires a foundation in divine command to makes sense (119–21) and a promise of reward to make motivating (123), but that Kant has excluded both with his arguments against theological foundations for ethics (110–11), and that the result is empty formalism (130–31) and an impossible picture of moral motivation (144–45). He then goes on to argue that Fichte takes the Kantian absurdity further: his ethics is "a magnifying mirror of the flaws of the Kantian" (182–87). Schopenhauer's was the most strident expression of this anti-Kantian/Fichtean sentiment, but he was not alone in it. Michelet remarks that Fichte's greater consistency and systematicity makes Fichte's ethics even emptier than Kant's (Michelet, *Geschichte,* 1:520). Vogel had made a similar observation already in 1803: "Although the system that Fichte built on Kant's incomplete beginning gave morality its foundations, still the damage dealt to morality by the Kantian philosophy [sc. removal of its old theological foundation] was not repaired by the Fichtean system; instead its consistent maintenance of spiritual pantheism (panlogism) made its demands on human beings superhuman . . . " (*Lehrbuch der christlichen Moral,* 40). Schleiermacher offers another early statement of the view that while Fichte's *System of Ethics* is the completion and perfection of the Kantian project, this is not a point in its favor (*Grundlinien einer Kritik,* 28–46 passim). For more positive assessments of Fichte's Kantian extremism, see notes 13, 18, 19, 22, 23, 43, and 44 below.

[10]Stäudlin, for example, claimed to find all of Fichte's works incomprehensible (*Geschichte der Moralphilosophie,* 989). Some contemporary readers will be sympathetic.

(There were exceptions—efforts to construct a Hegelian normative ethics and other independent systematic ethical works—but none had a wide or lasting impact.[11]) The situation is widely acknowledged and often lamented in the literature of the period;[12] and it is reflected in the fact that in the entire period up to 1850, systematic surveys of the history of normative ethics (by both ethicists and historians) typically ended with Fichte, or at least remarked that his was the last normative ethics on a philosophical, non-religious basis after Kant.[13]

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[11]The most prominent examples of attempts at normative ethics in a Hegelian spirit are Martensen's *Grundrids til Moralphilosophiens System* and Michelet's *Geschichte*; the best example (in my view) of an independent attempt at normative ethics is Elvenich, *Die Moralphilosophie*; but Fries (*Neue Kritik der Vernunft*, vol. 3, and *Handbuch der Praktischen Philosophie*) belongs in this category as well.

[12]In one of the first such diagnoses, Stäudlin attributes the sorry state of ethics in Germany (in 1822) to the rise of Spinozism, in Schelling's school in particular (Stäudlin, *Geschichte der Moralphilosophie*, 1003), remarking that Schelling and his followers had no ethics and used ethical terms (e.g. 'freedom') not in the usual ethical significance (995). Martensen (beginning in his lectures in the 1830s) complains that ethics as a philosophical discipline has been forgotten in recent decades, remarking in particular on the conspicuous absence of a work of systematic ethics by Hegel. He contests the common contention that Hegel's *Philosophy of Right* was meant to stand in for an ethics, arguing that it cannot because it contains an account of "relative" stages but not of "ethics in its absolute significance" (Martensen, *Grundriß des Systems der Moralphilosophie*, vii). He proposes to fill this gap in the literature himself with his *Grundriß* (ix–x). In the literature survey preparatory to that attempt, he remarks that Schleiermacher's ethics lectures contain nothing more than a collection of unsystematic observations; that Daub's is the most comprehensive treatment but "still incomplete"; that Michelet's is a historical-critical rather than a systematic work; and that Rosenkranz has published only hints and nothing like a systematic treatment (x–xi). (I am unsure which Rosenkranz works he has in mind, but the Daub works he refers to include the 4th and 5th volumes of the *Philosophische und theologische Vorlesungen*; the Schleiermacher works he refers to are the ethics lectures published by Twesten and Schweizer [*Entwurf eines Systems der Sittenlehre* and *Grundriß der philosophischen Ethik*]; and the work by Michelet is his *Geschichte der letzten Systeme der Philosophie in Deutschland von Kant bis Hegel*.) In 1846, Erdmann (having overlooked Martensen's 1841/45 effort!) reports Michelet to have been the "only" philosopher to attempt a moral philosophy on a Hegelian basis (Erdmann, "Pflichtenlehre," 215); it follows from this that he did not take Hegel himself to have done so. A final influential figure advancing the same view was J. G. Fichte's son, I. H. Fichte. In his 1843 survey of the state of philosophical ethics, he argues that both Hegel and Schleiermacher had replaced the Kantian/Fichtean project of normative ethics with the quite different project of ethics as a descriptive science subordinate to history (Hegel) or physics (Schleiermacher) that claims to offer no guidance to the deliberating agent (I. H. Fichte, "Der bisherige Zustand," 179–81, 197–99). (He could have brought a similar charge against, among several others, Herbart [cf. *Allgemeine Metaphysik*, 280, for Herbart's castigation of Fichte for trying, in his ethics, to give normative answers to what are psychological—and therefore theoretical—questions].)

[13]Von Henning (a Hegelian) portrays the terrain in 1824 as one populated by a few residual eudaimonists and by Fichte, who had "carried [the Kantian project] through with the greatest systematicity" (Von Henning, *Principien der Ethik*, 177, 179). Martensen makes the same judgment two decades later, remarking that that the autonomy of ethics as a discipline peaked in Kant and Fichte, and Fichte in particular, and that no ethical works of like stature were published in the interim (*Grundriß des Systems der Moralphilosophie*, xi). Likewise the younger Fichte, in the survey mentioned in note 12 above, argues that J. G. Fichte was the last practitioner of what we would call normative philosophical ethics in Germany after Kant, and that he had perfected the Kantian approach in the ethical systems of 1798 and 1813. He writes, "[W]e can designate Fichte's *System of Ethics* . . . as an essential component of the contemporary development of ethics, and at the same time as the highest point and most true development of the direction of this science that began with Kant" ("Der bisherige Zustand," 173). Erdmann makes a similar remark in his encyclopedia entry on "Pflichtenlehre": "Ethics as a pure doctrine of duties [*Pflichenlehre*] was presented by Kant, but especially by Fichte, in a purer form than ever before or since" (Erdmann, "Pflichtenlehre," 209). He adds, "But not only did Fichte *perfect* ethics in this configuration; the series of those attempting to work out an ethics of this sort at the same time *ends* with him" (210).

The conjunction of those two judgments—that Fichte's was the best form of Kantianism, and that Kantianism was the only viable option in philosophical ethics—quite naturally motivated the sentiment that the *System of Ethics* was the work to know, and to know well, for both proponents and opponents of the project of normative ethics on philosophical foundations. It explains why the work figured so prominently in histories of philosophy in general and of ethics in particular, and in works of systematic moral philosophy, during this period.

I take it that a contemporary audience will be puzzled only by the first of these two judgments: that the *System of Ethics* was in some very robust sense the pinnacle or completion of the Kantian project, a work that surpassed any from Kant's own hand. The second—that it had no real competitors in its genre—is not in dispute. So it is to the reasons for the first judgment that I now turn.

2.

Here again this literature displays a near-consensus on a number of points. Three that appear most prominently are these:[14]

2.1.

First, many pointed out that (in the relatively delicate words of Stäudlin) the *Metaphysics of Morals*, and the *Doctrine of Virtue* in particular, was not up to the standard that one might have expected from a philosopher of Kant's stature.[15] It contained some remarkably poor argumentation;[16] it imported anthropological assumptions that readers of the *Groundwork* had been told not to expect there;[17] it did not give a complete or systematic enumeration of ethical duties, and left less than fully perspicuous the basis of the duties it did enumerate.[18] (Incidentally, all

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[14]I have omitted other interesting regularities in the judgments of writers of the period. Notable here is agreement with Fichte's claim (*Werke*, 4:233) that the universal law test is at best a valuable heuristic, and that even if it succeeds in sorting morally impermissible maxims from permissible ones, failure of it cannot be what makes those maxims impermissible (see e.g. Elvenich, *Die Moralphilosophie*, 278–79n).

[15]Stäudlin, *Geschichte der Moralphilosophie*, 975.

[16]Notable here is criticism of Kant's discussion of ends that are duties. Stäudlin singles out for criticism Kant's arguments for denying that there are duties to further one's own happiness and others' perfection (*Geschichte der Moralphilosophie*, 976) and sees an inconsistency between the treatment of own-happiness as an end in the dialectic of the second *Critique* and its treatment in the *Metaphysics of Morals*. Michelet also criticizes Kant's derivation of the two ends that are duties, remarking that the exclusion of one's own happiness as an obligatory end on the grounds that we inevitably pursue it anyway is untenable given the fact that we are anyway inclined also to help others and to seek knowledge, and those facts do not exclude those ends as duties (*Geschichte*, 1:157). Cf. also the sources commending Fichte's derivation of duties cited in notes 54 and 55 below.

[17]Cf. e.g. Schleiermacher, *Grundlinien einer Kritik*, 447–48; Stäudlin, *Geschichte der Moralphilosophie*, 966.

[18]Erdmann's assessment of the unsystematicity and incompleteness of the *Metaphysics of Morals* is characteristic: "No one who looks at Kant's ethics as a whole will be tempted to see his accomplishment as having presented a system that was actually complete. It lacks, first, a place for all [types of] ethical action; . . . and it lacks, second, a truly systematic organization. Kant employs the most miscellaneous classificatory principles, and uses even those inconsistently" ("Pflichtenlehre," 207). Cf. C. F. Stäudlin, *Geschichte der Moralphilosophie*, 966, as well as the many sources asserting Fichte's relative *Consequenz* in note 19 below.

of those criticisms can be found even among philosophers—like Stäudlin himself—who were more sympathetic to Kant than to Fichte.) The term used surprisingly often to describe the characteristic that Fichte's *System of Ethics* displayed, and Kant's *Metaphysics of Morals* failed to display, was '*consequent*' ("consistent" or "systematic"). Fichte was *consequenter als Kant* for everyone who thought to compare them on that score.[19] (German speakers will recognize this as very high praise indeed.) So there was a general judgment that Fichte had finished a task that Kant had only begun, with results that looked more systematic and coherent than Kant's, even to those who remained ultimately unconvinced.

2.2.

Second, many faulted Kant for insisting that practical reason directly supplies no end that we ought to strive to attain or produce. The sense of 'end' at issue in the description of humanity as an end in itself is not the ordinary one, and it was difficult to understand what Kant might mean when he used 'end' in this special sense. It was likewise difficult to accept the fundamental idea of a moral principle that would be purely formal: that left the content of what we might morally strive to attain objectionably arbitrary. Fichte's ethics, by contrast, is teleological, insofar as duties are understood in terms of progress toward a positive, substantive moral end that is taken to be partially constitutive of rational agency. What agents morally ought to do is strive to achieve this end—in some instances directly, in others by following rules or forming dispositions or engaging in practices that best promote it. It was the judgment of many that this positive end-orientedness was a virtue of Fichte's ethics that remedied the corresponding shortcoming of Kant's.[20]

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[19]Berger, in his review of the *System of Ethics* in *Göttingische Bibliothek der neuesten theologischen Literatur*, remarks that Fichte has worked out a doctrine of duties in a systematic (*consequent*) way Kant failed to ("System der Sittenlehre," 237–38). Von Henning's judgment, that Fichte worked Kant's ethics out "in its full systematicity [*Consequenz*]" (*Principien der Ethik*, 179), has already been cited, as has Vogel's judgment to the same effect (*Lehrbuch der christlichen Moral*, iv, 40). Michelet praises the *Wissenschaftslehre* for its "acuity and systematicity [*Schärfe und Consequenz*]" and identifies its "unyielding, unfaltering consistency [*eiserne unbeugsame Folgerichtigkeit*]" as its greatest virtue; it is "a true marvel of thought" (*Geschichte*, 1:493; for similar comments cf. 1:71, 328). Of Fichte's ethics in particular, he remarks that "he [sc. Fichte] is certainly more systematic [*consequenter*] than his predecessor [sc. Kant]" (*Geschichte*, 1:520). Biedermann's praise is directed toward Fichte's political philosophy, but the judgment ("in application and implementation he proceeds far more consistently [*consequent*] than his predecessor") is the same (*Die deutsche Philosophie von Kant bis auf unsere Zeit*, 1:473). Erdmann also criticizes Kant for inconsistency and praises Fichte for completing Kant's incomplete and unsystematic beginning ("Pflichtenlehre," 207, 209). This is the local manifestation in the area of ethics of a view that was for a short time widely held about Fichte's transcendental philosophy as a whole, and that reflected Fichte's own avowed ambition. See Rohs, *Fichte*, 168–75 for discussion of the claim as it applies to the *Wissenschaftslehre* as a whole.

[20]The criticism of Kantian formalism is familiar from Hegel, although he was neither the first nor the last to articulate it. Vogel points out the difficulty people found in accepting—even understanding—Kant's idea that the moral principle should be purely formal and non-teleological (*Ueber das Philosophische und das Christliche in der christlichen Moral*, 2:74–81). Berger praises Fichte for putting an end to "empty Kantian formalism" ("System der Sittenlehre," 238). Herbart places Fichte's progress over Kant in giving the "empty" formula "act according to universal maxims" the content: self-sufficiency (*Allgemeine Metaphysik*, 281–82). Elvenich complains that Kant's moral principle gives us no end to promote (*Die Moralphilosophie*, 274), explaining that the sense of "end" at work in the formula of humanity is not that of something to be promoted (286–87); and when he turns to discussion of Fichte's

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Third, most readers were unconvinced by Kant's solution to the antinomy of practical reason, and found the fact that there should be an antinomy to begin with to reveal a fundamental flaw in Kant's moral psychology.[21] In this literature, the problem is often said to arise out of Kant's rigorism, but we can understand it best in terms of a set of jointly inconsistent commitments: (1) moral rationalism (the view that we always have most reason to act morally); (2) the denial of any necessary connection between virtue and happiness (the view that acting morally can be worse for us from a self-interested perspective, even in the long run); and (3) rational egoism (the view we always have most reason to do what would be best for us). The inconsistency can be resolved most straightforwardly by abandoning any of the three commitments. Eudaimonists denied (2), for instance. Fichte denies (3). But it seems on first inspection that in this he is simply in agreement with Kant. That is the position that in this context is called "rigoristic," and there is consensus in this literature that Kant and Fichte share it.[22] And yet Fichte's moral psychology was taken to be more plausible than Kant's. Why?

The answer is interesting, and I will devote the third section of this paper to it. But in preparation let me point out that the antinomy of practical reason arose for Kant only because he did not simply reject (3) outright. Instead, he admitted that concern with one's own happiness is an ineliminable human motivation, and that the mere fact that morality demands its sacrifice (when it does) does not suffice to render powerless the claim of own-happiness on the rational will. It is this residual claim that gives rise to the antinomy and so motivates the view—that

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ethics, Elvenich emphasizes the importance of understanding it as organized around the idea that the ethical drive posits an end (290). Biedermann characterizes Fichte's ethical principle as very close to Kant's, but "more positive than the Kantian one" in part in its emphasis on progress toward the end of independence as a human ideal (*Die deutsche Philosophie von Kant bis auf unsere Zeit*, 1:470). Chalybäus also emphasizes the end-orientedness of Fichte's ethics as one of its virtues (cf. *Historical Development*, 166). Fichte's consequentialism seems to me to be indeed a virtue of his variety of Kantianism, and I explore his conception of the moral end and the doctrine of duties he builds upon it in Kosch, "Agency and Self-Sufficiency in Fichte's Ethics." Of course this take on Fichte's ethics is not uncontroversial, and important interpreters of Fichte (e.g. Allen Wood, in work in progress) oppose it.

[21]Schleiermacher focuses much of his criticism of Kantian ethics on Kant's conception of the highest good, on the antinomy, and on Kant's treatment of the postulates (Schleiermacher, *Grundlinien einer Kritik*, 26, 129–31 et passim). Stäudlin offers an extended critique of Kant's treatment of the highest good and the postulates (*Geschichte der Moralphilosophie*, 978–82). Michelet describes the main shortcoming of Kant's ethics as the fact that it "remained in the opposition" between happiness on the one hand and conscience/virtue on the other; Kant's shortcoming was to *need* a dialectic in the *Critique of Practical Reason* (*Geschichte*, 1:139). Biedermann's criticisms of Kant revolve around the idea that it is an ethics of "renunciation" and as such "self-undermining," and he claims that the problem is most clearly demonstrated by Kant's treatment of highest good (*Die deutsche Philosophie von Kant bis auf unsere Zeit*, 1:270–71, 286). I. H. Fichte organizes his illuminating discussion of post-Kantian ethics around the problem posed by Kant's antinomy ("Der bisherige Zustand"). Cf. also Schopenhauer, *Grundprobleme*, 123, 144–45; Schmidt, *Lehrbuch der Sittenlehre*, 33–34, 112–13. I discuss how it was thought that Fichte did better in §3.1 and note 43 below. This line of criticism first emerged immediately after the publication of the second *Critique* and so occurs in many works earlier than the *System of Ethics* and earlier, therefore, than any of the works cited here. For discussion, see Di Giovanni, *Freedom and Religion in Kant and his Immediate Successors.*

[22]Cf. e.g. Elvenich, *Die Moralphilosophie*, 137, 137n; Ammon, *Handbuch der christlichen Sittenlehre*, 3:108; I. H. Fichte, "Der bisherige Zustand," 171–74.

practical rationality demands belief in a God and an afterlife—that constitutes Kant's solution to it. For Kant, then, although (2) is true in this life, and the highest good (viz. the conjunction of virtue and happiness proportional to virtue) is here unattainable, rationality demands that we believe (2) false in the bigger picture.

Fichte was taken to have eliminated the conditions of possibility of the antinomy by replacing Kant's moral psychology with one from which (in the words of one commentator) this last vestige of eudaimonism had been purged.[23] He makes two revisions to Kant's account that could in principle form the basis for such a judgment. The first is his view that independence rather than happiness is the object of all human striving, and his reconstruction of motivation in terms of this drive for independence. The second is his refusal to admit reasons that are non-derivatively agent-relative and partial.

It is not always clear which of these revisions is motivating the view, expressed in a wide variety of ways throughout this nineteenth-century literature, that Fichte's moral psychology is less problematic than Kant's. But the second seems to be the more important of the two, because it is the claim that self-interest gives us reasons, rather than anything about Kant's account of what our interests are, that is crucial to the antinomy. Kant's antinomy does not arise out of an agent's conviction that generalized virtue is somehow incompatible with generalized wellbeing; nor does it arise out of the agent's impartial concern with the just relative distribution of these.[24,25] Instead it has its source in the agent's concern that happiness accompany virtue in her *own* case. So in the absence of an agent's concern for her own happiness *qua* her own, no antinomy of the sort Kant describes can arise. And it is just such partial concern that practical rationality rules out, on the view Fichte advances in the *System of Ethics*. Still, although the main work is being done by Fichte's denial that self-interest is a source of reasons (however interest is defined), his reconceptualization of human nature (and the new understanding of human interest that follows upon it) paves the way for that denial. Both are worthy of some attention.

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[23]Erdmann, "Pflichtenlehre," 210.

[24]Kant might seem to contradict this when he writes that for the "whole and complete good as the object of the faculty of desire of finite rational beings . . . *happiness* is also required, and that not merely in the partial eyes of a person who makes himself an end but even in the judgment of an impartial reason, which regards a person in the world generally as an end in itself" (*Kritik der praktischen Vernunft*, 5:110; translation from Kant, *Practical Philosophy*). But in fact it is clear from what follows that by "the judgment of an impartial reason" Kant means only the judgment of an agent for whom moral reasons have primacy, not the judgment of an agent whose reasons are exclusively impartial, or who is thinking about the distribution of happiness from an impartial point of view. He goes on, "For, to need happiness, to be also worthy of it, and yet not to participate in it cannot be consistent with the perfect volition of a rational being that would at the same time have all power, even if we think of such a being only for the sake of experiment" (*Kritik der praktischen Vernunft*, 5:110; translation from Kant, *Practical Philosophy*). We are not being asked, here, to appreciate the injustice, from an impartial point of view, of a failure of relative distribution of happiness and virtue. We are being asked to appreciate the impossibility of even a virtuous agent's failing to have *her own* happiness as her end. The reasons arising out of concern for happiness are partial ones, and this is consistent with their persistence even in "the judgment of an impartial reason" (sc. that of the virtuous agent).

[25]As a reviewer for this journal has pointed out, the scope of Kant's allowance for self-interested reasons is a matter of debate, and the details of what I say here and in §3.2 will not satisfy all interpreters. What is clear is that there is some such allowance; and this is all that is required for the contrast with Fichte to emerge.

3 .

3.1.

Discussion of Fichte's moral psychology, in this literature, focuses primarily on the second part of the *System of Ethics*, in which Fichte claims to prove the applicability of the moral principle that he articulates in the first part and applies in the third. Fichte's aim in this section is to situate free agency within the natural world: to show how free causality can be both causal efficacy upon nature, and causality arising from a natural being. It is the second of these tasks that occasions a moral psychology based upon the notion of drive (*Trieb*).

Fichte distinguishes four drives in this section: "natural" and "pure" drives; the "original" drive that is their source; and the "mixed" or "ethical" drive in which they are united at the empirical level. The natural drive is the drive, in any organized product of nature, to keep its parts together in something like the order in which it finds them, to organize its relation to the external world in a way that facilitates its persistence, and to do so just for the sake of doing so.[26] As an organized product of nature, a human being has this drive, and is prompted by it to interact with her environment in certain ways. But a human being is also able to reflect on the prompts of the natural drive, and with such reflection comes an ability to refrain from acting immediately upon them.[27] Reflection is the product of a second drive, which Fichte calls the "pure" or "spiritual" drive and describes as a drive toward self-determination to activity for the sake of activity.[28]

Natural and pure drives are successor notions to Kant's lower and higher faculties of desire, Fichte tells us.[29] But his account of their relation is quite different from Kant's, as he emphasizes the absence of any fundamental conflict between them. He argues, first, that they have the same source, the original drive that constitutes the essence of the natural rational being.[30] He also describes their empirical unity in what he calls the "ethical" or "mixed" drive. It is in the description of this mixed drive that we find Fichte's generic account of moral motivation.

The natural drive, on Fichte's account, has both a content and an end: its content is determined by natural needs (in interaction with environment); its end is pleasure or enjoyment (*Genuß*).[31] That is, in behavior based in the natural drive, the expectation of immediate pleasure is what motivates (pleasure is the "end"); but what produces pleasure, at a given moment, depends on what needs are fulfilled by the action (these provide the "content"). Pleasure is a sign that these

[26]J. G. Fichte, *Werke*, 4:123. Here and elsewhere I cite Fichte according to the pagination of the first edition of his collected works, published by his son I. H. Fichte in 1845–46 and reprinted by De Gruyter in 1971. This pagination is reproduced in the margins of the latest edition by the Bavarian Academy of Sciences (J. G. Fichte, *Gesamtausgabe der Bayerischen Akademie der Wissenschaften*). All translations are mine.

[27]J. G. Fichte, *Werke*, 4:126, 130.

[28]J. G. Fichte, *Werke*, 4:130–31.

[29]J. G. Fichte, *Werke*, 4:131.

[30]J. G. Fichte, *Werke*, 4:130. Both are configurations of an underlying drive to self-determination, manifesting as self-determination-*qua*-object and self-determination-*qua*-subject, respectively. This is the drives' "transcendental" unity.

[31]When an agent acts on the natural drive simply in order to satisfy the drive, she takes pleasure or satisfaction [*Genuss*] as her end (J.G. Fichte, *Werke*, 4:128).

needs have been fulfilled, and it operates as a motivator in place of any reflective consciousness of, and reasoned determination to act in response to, these needs (since reflective consciousness and rational deliberation are by supposition absent in such behavior). The pure drive on Fichte's account, by contrast, has no content of its own, but only an end: activity for the sake of activity. This end is not mysterious, though the emphasis placed upon it is distinctive of Fichte's thought: it is the end of being the source of what happens within and around one, being spontaneous rather than reactive, creative rather than imitative, active rather than passive.

On Fichte's account, the ethical or mixed drive takes its content from the lower, natural drive. It is a drive to organize specific parts of the external world in relation to the agent in a certain way, and it remains in that sense "determined by the object."[32] But it takes its end from the pure drive. It aims at activity for the sake of activity or, alternatively formulated, at "absolute freedom, absolute independence of all of nature."[33] What is the upshot of this displacement of the end of pleasure by the end of activity/independence?

Like Kant, Fichte counts the exercise of reason as one of the ways in which we are active; so the aim of activity incorporates the aim of rationality, and of efficacious rational reflection upon one's motivations, behavior, and the relations between them. He also considers it a conceptual truth that considerations of the sort, "*x* will happen in the immediate (as opposed to the farther) future" or "*x* will happen to me (as opposed to someone else)," do not all on their own affect the sorts of reasons to which events like *x* give rise. So, on his account, rational reflection, applied to the content of the natural drive, tends to expand the scope of an agent's concern to encompass the future consequences, and the consequences for other agents, of a contemplated action. Full practical rationality would involve full neutrality with respect to person and time.[34]

The ethical drive is on this account continuous in an obvious way with the natural drive: it is the drive toward independence and self-subsistence of an organized natural product, stripped of its parochiality by practical reflection.[35]

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[32]J. G. Fichte, *Werke*, 4:131.

[33]J. G. Fichte, *Werke*, 4:131; cf. 4:60, 149, 153, 209, 211–12, 229 for other formulations. The formulation of the end shifts, from the pure drive's "activity for the sake of activity" to the ethical drive's "independence of all of nature," because 'independence' is Fichte's blanket term for the conditions of possibility of exercised agency.

[34]Fichte argues that since it is a matter of accident that I (the deliberator) am this individual rather than that, it should likewise be a matter of indifference to me where independence is instantiated (*Werke*, 4:231–32). Rational agency depends upon individuality in the sense of experienced membership of a multiplicity of distinct agents (he had argued for this claim in the *Foundations of Natural Right* of 1797 and reaffirms it here), but it does not depend upon the agent's being "this individual [rather than] that one" (*Werke*, 4:232). The ethical drive is thus no longer a drive to my independence in particular, but to the independence of rational agency in general (*Werke*, 4:231).

[35]The path from nature to rational self-determination is sketched by Fichte in the discussion of moral development in §16 (*Werke*, 4:177–91) and developed further in the doctrine of duties in the third part of the *System of Ethics*. First the natural drive's operation is detached from instinctive focus on the immediate future (it becomes prudence, but still with happiness as its end); then it is detached from the end of pleasure (it becomes a desire for mastery, to which happiness is irrelevant); then it is detached from its partiality to the individual agent (it becomes a person-neutral drive to further material independence, now and into the indefinite future).

(One might still wonder what should be intrinsically passive about the end of pleasure, and so why the pure drive should oppose the end of pleasure "as a mere passive capitulation to nature,"[36] rather than merely modifying it [perhaps in the direction of hedonistic utilitarianism]. The fact that the end is given by nature is an insufficient explanation, for the content of the natural drive is likewise given, and that is successfully incorporated into the ethical drive. It does seem that what Fichte means by 'pleasure' in this context is the experience of a pleasant subjective state, in which case bias toward the self, and so a form of irrationality, would be intrinsic to it. But that does not suffice to rule out a rationalized version as the moral end. Instead Fichte's thought seems to be that pleasure is only ever taken as an end to begin with because it is a [natural] sign of independence successfully pursued, whose function falls away as soon as independence can be self-consciously pursued, and that pursuit calibrated by signs other than the natural one.[37])

The object of the ethical drive is the moral end, which is the independence of rational agency in general. This end consists in the conjunction of ever-increasing perfection of rational agency and ever-increasing scope for its exercise. Progress toward it is progress along several distinct dimensions. The moral end subsumes the right ordering of individuals' relations to one another *qua* free individuals in a community of right (whose constraints are outlined in the *Foundations of Natural Right* of 1797) and *qua* participants in a social division of labor (whose main outlines are justified in the third part of the *System of Ethics*). Beyond that, it prescribes the promotion and protection of deliberative integrity (of others and of oneself at future moments) and the maximization of material independence in a straightforward sense (the continual broadening of our individual and collective ability to realistically plan, where that involves both increasing our ability to ensure that our plans are carried out if we undertake them, and opening up novel possibilities for planning, through technological innovation and creative expansion of ways of living, producing, and interacting). The ordering of these components is not obviously lexicographic, though there are some clear priority relations between duties from the different categories.[38]

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[36]J. G. Fichte, *Werke*, 4:131.

[37]Fichte's lack of sympathy for the aim of happiness on any of the standard interpretations (including but not limited to the hedonistic one) is one of the striking features of his mature ethical writings. In the *System of Ethics* he discusses "happiness" in three contexts: in the moral psychological context, one's own happiness is the end set by the natural drive against which the ethical drive must struggle (*Werke*, 4:180, 304, 315); in the context of ethical theory, the "principle of happiness" and the "principle of perfection" are the "sophistical" contributions of certain recent German "so-called" philosophers (*Werke*, 4:183); and in the doctrine of duties, we find a description of a certain sort of weak-willed individual who seeks to avoid doing his actual moral duty by claiming to take the happiness of others as his aim (*Werke*, 4:286–87). It took Fichte some time to come to this mature view. In his *Attempt at a Critique of all Revelation* (1792) he accepts happiness (on a roughly Kantian understanding) as a fundamental human end, and with it the existence of an antinomy of practical reason (*Werke*, 5:16–58). By the *Lectures on the Scholar's Vocation* (1794), he has redefined happiness in terms of independence (as "the agreement of things outside of us with our will") and he emphasizes that "the concept of happiness itself and the desire for it arise only from the ethical nature of the human being" (*Werke*, 6:299). The moral psychology of these *Lectures*, unlike that of the *Attempt at a Critique*, is consistent with that in the *System of Ethics*. By 1797–98 he has dropped all non-pejorative use of the term. Thanks to an anonymous reviewer for prompting this clarification.

[38]For further discussion, see Kosch, "Agency and Self-Sufficiency in Fichte's Ethics."

The moral end is the source of reasons for action that are agent-neutral at the ground level. Fichte admits agent-relative reasons that arise from membership in a political state and from certain social practices and positions in the social division of labor; but associative duties and the reasons they give us are all externally justified by the ways in which the practices, institutions, rules or roles from which they arise are conducive to or themselves partially constitutive of progress toward the moral end.[39] Where the moral end figures directly in practical deliberation (where the law is silent or the power of enforcement absent, for instance, or where we are reasoning, either as private individuals or as citizens, about which ends to pursue and how to allocate resources) it does so in a way that tends to erase distinctions between persons. This is so from the perspective of both agent and patient: I should not care whether it is I or someone else who is the agent of moral progress, so long as it is made;[40] I should regard myself as having no moral claim on resources beyond what I need in order to function as an effective agent of that end;[41] and I should place my own wellbeing strictly on par with the wellbeing of others.[42]

One fact about the nineteenth-century literature that will puzzle many contemporary Kantians is the ubiquity of admiration for Fichte's emphasis on the agent-neutrality of reasons[43] and also for the fact that the resulting normative ethics is far more demanding than Kant's.[44]

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[39]One has, for instance, special duties to preserve one's own life, family, or property where all else is equal. But these fall out of imperatives to preserve life and property in general as a natural solution to coordination problems that would otherwise arise in implementing those imperatives (J. G. Fichte, *Werke*, 4:300–313). That it is my life, or property, or family, is never a non-derivative reason, for Fichte. Duties of right are more fundamental than duties arising from place in the social division of labor because they are required, not for the collective pursuit of other components of the moral end, but for the very existence of self-conscious rational agency (or so Fichte argues in the *Foundations of Natural Right*).

[40]J. G. Fichte, *Werke*, 4:232.

[41]J. G. Fichte, *Werke*, 4:255; 259–61; 269.

[42]J. G. Fichte, *Werke*, 4:269–71; 298; 302–3; 306.

[43]Vogel offers this (apt) contrast: Kant begins from an account of what "universal reason" prescribes and then gives an account of how that "can be united with our individual reason"; whereas Fichte assumes that our individual reason "is basically nothing other than universal reason limiting itself" to our specific situation (*Lehrbuch der christlichen Moral*, 47). Berger, in remarking that Fichte makes clearer than Kant the relation between rationality and the individual will (and between freedom and the law) seems to have this point in mind ("System der Sittenlehre," 220). Elvenich praises Fichte for his insistence that there is nothing rational about "rational egoism" (*Die Moralphilosophie*, 59–61n). The thrust of the impartiality that is demanded by the pure drive is the overcoming of boundaries between distinct empirical individuals, and the recognition that we are all but empirical manifestations of the same absolute ego. As I. H. Fichte points out, this is more manifest still in the second (1813) *System of Ethics* than in the first ("Der bisherige Zustand," 173–74). Herbart, who calls the *System of Ethics* "the work of Fichte that is most mature and most his own" also singles out this aspect of it (*Allgemeine Metaphysik*, 279, 284); cf. also Schleiermacher, *Grundlinien einer Kritik*, 83–84; and Michelet, *Geschichte*, 1:526. It was also remarked in this literature that the tendency to erase distinctions between persons characteristic of Fichte's ethics is tempered by the inclusion of duties of right (which are organized around the protection of individuality) among moral duties; cf. e.g. Michelet, *Geschichte*, 1:505.

[44]The moral demandingness of the *System of Ethics* is often described in terms of "loftiness" or "sublimity" (*erhabenheit*). Feuerbach writes, "Still more lofty than Kant's, though, are Fichte's ideas, expressed in his *System of Ethics* and scattered throughout his other writings. Christianity has nothing that can compare with these ideas in sublimity, for the simple reason that as religion it is addressed to human beings in general, and especially to the people, and it must connect ethical ideas to common interests in order to make them accessible. Fichte's ideas are rigorous, at times almost superhumanly

3.2.

Let me now offer some very brief remarks about the reception of the parallel portion of Kant's practical philosophy, and draw some contrasts.

The precursors of Fichte's natural and pure drives are Kant's lower and higher faculties of desire. These give us, according to Kant, the end of happiness and the end of conformity with the moral law, respectively. Happiness, for Kant, is an end that is essentially agent-relative and that sets individual interests against one another, though pursuit of it is not irrational but in fact rationally demanded.[45] The moral law exercises a check on some ways of pursuing this end.

There is of course a very large literature on the topic of how to understand this check, in which moreover the absence of a single reconstruction that accommodates all of Kant's examples is widely acknowledged.[46] For the sake of comparison we do best to focus on a clear case, and I take it to be clear that Kant thought the categorical imperative test should screen out at least those agent-relative reasons that it would be directly collectively self-defeating for all to act on (and so should e.g. forbid breaking in individual instances those cooperative rules that it would be rational to impose upon ourselves collectively[47]). The question that Kant's equivalent of an applicability proof has to answer in these cases is, why, where such cooperative rules are not publicly enforced with sanctions that provide prudential reasons for compliance, reason nevertheless comes down on the side of compliance with them.

In the third section of the *Groundwork*, where Kant's stated aim is to show the applicability to human agents of the moral principle he has articulated in the preceding section, he first argues that the moral law is necessarily the law of the free rational will as such, and that a free will and a will under moral laws are one and the same. He then argues that we must regard ourselves as free (and so subject

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so . . . Fichte was the hero who alone sacrificed to ethical ideas the whole power, beauty and splendor of the world . . ." (*Pierre Bayle*, 101); cf. also Elvenich, *Die Moralphilosophie*, 289. Vogel, himself a Kantian who was less than fully on board with Fichtean extremism, had used similar language already forty-five years earlier, describing the purity and sublimity of morality on the Kantian picture as "sublimated to the point of superhumanity" in Fichte (*Lehrbuch der christlichen Moral*, iv).

[45]My conception of my happiness, for Kant, is a comparative conception of my overall wellbeing. The end is agent-relative because it is my wellbeing (not human wellbeing in general) that is my end. The comparative element in the end of happiness (the fact that in wanting happiness, what I want is to be well-off compared to my peers, and ideally to be better-off than them) is what sets individuals' interests in opposition to one another. Because it involves, essentially, this competitive element, the end of happiness is essentially partial, and pursuit of it will often conflict with what morality requires even under the best of (material) circumstances. Here I follow Wood, "Kant versus Eudaimonism."

[46]This is most clearly true in the case of the formula of universal law (cf. Korsgaard, *Creating the Kingdom of Ends*, ch. 3; Herman, *The Practice of Moral Judgment*, ch. 7). Wood seeks to avoid these problems by shifting emphasis to the formula of humanity (*Kant's Ethical Thought*, chs.4 & 5), but this eliminates the problems in part by eliminating the (on his view, deceptive) appearance of precision. In any case, few today seek to defend Kant's own treatment of *all* of his examples.

[47]Examples would be those rules required for the continued functioning of some practice (at issue in Kant's deceptive promise example at *Grundlegung zur Metaphysik der Sitten*, 4:422, 429), and those prescribing ways of acting that allow us all to better fulfill our ends (at issue in the example of the maxim of non-beneficence at *Grundlegung zur Metaphysik der Sitten*, 4:423, 430).

to the moral law) as soon as we recognize ourselves as employing reason in any context, even theoretical contexts.[48]

Critically important for the early reception of Kant's practical philosophy was his claim that doing this requires regarding "ourselves as belonging to the world of sense and yet at the same time to the world of the understanding,"[49] and that a moral agent therefore "has two standpoints from which he can regard himself and cognize laws for the use of his powers and consequently for all his actions: *first*, insofar as he belongs to the world of sense, under laws of nature (heteronomy); *second*, as belonging to the intelligible world, under laws which, being independent of nature, are not empirical but grounded merely in reason."[50] Equally important is his concession, in the same discussion, that in the absence of any possibility of thinking of oneself as an intelligible being, there could be no demonstration of the practical necessity of subjecting oneself to the moral law, nor any explanation of how one could be moved by moral considerations where these conflict with the end of one's own happiness.[51]

That this solution to the problem of the moral law's applicability was not well received is a fact that has long been recognized in scholarship on Kant's early reception and on the development of post-Kantian idealism. (It is mirrored in the contemporary literature, where Kantians offer quite different arguments for the indispensability of the supposition of negative freedom from which the *Groundwork* III argument begins.[52]) The division of the Kantian agent into empirical and intelligible aspects, and the puzzle of the relation that was supposed to hold between those, was a major target for Kant's early critics.[53] The same criticisms are

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[48]In the *Critique of Practical Reason* his claim is that we cannot and need not explain the interest we take in morality, because it is undeniable that we in fact take an interest in it (*Kritik der praktischen Vernunft*, 5:30–31). But he retains the connection between freedom and the moral law (*Kritik der praktischen Vernunft*, 5:29) and—important here—the claim that in order to think of ourselves as free in the relevant sense we have to think of ourselves as not only empirical but also intelligible beings (Kant, *Kritik der praktischen Vernunft*, 5:94, 99, 104).

[49]Kant, *Grundlegung zur Metaphysik der Sitten*, 4:452; translations in this paragraph from Kant, *Practical Philosophy*, 99.

[50]Kant, *Grundlegung zur Metaphysik der Sitten*, 4:452.

[51]Kant, *Grundlegung zur Metaphysik der Sitten*, 4:449–50.

[52]Unlike Kant, most contemporary Kantians are compatibilists, for whom there is no conflict between freedom of will and natural scientific explanation (even determinist explanation), and therefore no need for an appeal to the transcendental ideality of agents *qua* empirical beings in order to make room for freedom. The most successful contemporary Kantian justification of our belief in our own freedom (still required for the argument in *Groundwork* III) appeals to the ineliminability of the deliberative perspective, and the irrelevance of determinism within, and to, that perspective (cf. e.g. Korsgaard, *Creating the Kingdom of Ends*, ch. 6). For other compatibilist accounts, cf. Wood, *Kant's Ethical Thought*, 173–74 and 177–78; Ameriks, *Kant and the Fate of Autonomy*, 19–20 and 31; Ameriks, *Kant's Theory of Mind*, 226. O'Neill comments critically on the willingness of contemporary Kantians to conjoin Kant's moral theory with the empiricist approach dominant in contemporary moral psychology (O'Neill, *Constructions of Reason*, ix). But this is not a recent phenomenon; the same combination of broadly Kantian ethical theory with a compatibilist (in the modern sense) approach to freedom emerged in the 1790s and informed the views developed by the early Schelling and Hegel; cf. e.g. Hoffbauer, *Anfangsgründe der Moralphilosophie*, 135–36; Hoffbauer, *Untersuchungen über die wichtigen Gegenständen der Moralphilosophie*, 192. Fichte himself approached the problem by denying determinism and demoting theoretical reason to a secondary status within a system whose foundations were practical.

[53]Concern with how the "two selves" are supposed to relate can be seen in Kant's early sympathetic commentators as well as his early critics. Garve, for instance, complains that Kant's account of

reiterated in some later comparisons of Kant and Fichte. The basic objection is that Kant offered no satisfactory way to think these two selves, and the two sources of motivation attached to them, together in the same thought. It manifests itself in the literature in the form of two distinct worries.

The first is a worry about how the needs and constraints of the agent qua empirical human being might acquire any grip on the agent qua spontaneous intelligible will. A lack of grip seems a problem because so much of morality gets its point from our empirical wants, needs, and vulnerabilities. For some commentators, Fichte's effort, in the second part of the *System of Ethics*, to place Kantian spontaneity within nature and to cast moral motivation as continuous with natural motivation constituted, all on its own, an advance over Kant. Many point to the section on applicability, and the moral psychology of drives in particular, as at least part of the relevant advance.[54] Moreover, many endorse Fichte's claim that

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empirical and intelligible character cannot solve any problems of freedom we actually have, since these (whatever they are) must be problems that arise within experience (Garve, *Uebersicht*, 361–63). For further discussions see e.g. J. C. Schwab, "Ueber die zweyerley Ich" and "Wie beweiset"; Abicht, "Ueber die Freiheit des Willens," 71–85 passim; Bernhardi, *Gemeinfaßliche Darstellung*, 244. Beiser also discusses criticisms of Kant's account of the relation on the part of Feder, Tittel, and Selle (*The Fate of Reason*, 171, 185 et passim). For examples of later work in which Kant is criticized on this score in the context of a comparison of his ethics with Fichte's, see note 54 below.

   [54]Berger praises Fichte for including in the *System of Ethics* a deduction of applicability, "which all critical theories of ethics up until now left out" ("System der Sittenlehre," 221). Schleiermacher points to Fichte's account of drives as an important innovation and remarks that unlike Kant, Fichte agreed with the Stoics in thinking virtue "in accordance with nature" (*Grundlinien einer Kritik*, 59–60). Schmidt, in what was probably the first reworking of Fichte's *System of Ethics* for a pastoral audience, defines happiness as Fichte does in the *Lectures on the Scholar's Vocation* (cf. note 37 above) and insists that, so construed, it is not in tension with the moral end (*Lehrbuch der Sittenlehre*, 33–34, 112–13). He devotes three chapters (4–6) to an exposition of and expansion upon Fichte's applicability discussion (*Lehrbuch der Sittenlehre*, 35–90). Von Henning criticizes Kant for leaving the world (and the drives) merely given, an "other" of reason (*Principien der Ethik*, 183–84). Herbart makes the interesting remark that Fichte has taken Kant's freedom conception and placed it "in time" (*Allgemeine Metaphysik*, 283). Michelet, who criticizes Kant for resolving "all the contradictions" in his moral philosophy by shifting action to an unknowable intelligible world (*Geschichte*, 1:147), gives disproportionate attention to the section on applicability in his discussion of Fichte's *System of Ethics* (*Geschichte*, 1:509–20) and especially underscores Fichte's account of the connection between ethical and natural drives (*Geschichte*, 1:511). Elvenich also focuses attention on the doctrine of drives in his discussion of the *System of Ethics* (*Die Moralphilosophie*, passim). Erdmann claims to find a solution to Kant's problem of the split between phenomenal and noumenal self in the fact that for Fichte, every morally demanded willing is traceable to the natural drive ("Pflichtenlehre," 208–9); Fichte's applicability proof succeeds in rebutting the worry that the agent's nature, which is given, might make it impossible for the agent to fulfill the demands of the moral law (*Versuch*, 654–55). Ammon makes a similar judgment: "Kant founds his entire moral system on the distinction between the higher and lower faculties of desire, as two originally completely distinct tendencies in human nature, whose respective final ends are the fulfillment of the law and the satisfaction of desire . . . but as Fichte aptly reminds us, these two faculties are in no way two distinct fundamental tendencies, but from the transcendental point of view are but two distinct directions taken by one and the same original drive . . ." (*Handbuch der christlichen Sittenlehre*, 1:247–48). I. H. Fichte argues that J. G. Fichte solved the Kantian antinomy problem by substituting for Kant's a drive-based moral psychology on which the ethical drive is of the same kind and from the same source as the drive to individual wellbeing, and does not compete with it in practical deliberation so much as replace it in individuals who are reflectively developed, with the result that for Fichte there was no antinomy of practical reason to solve ("Der bisherige Zustand," 176). Feuerbach (in a text composed in 1863–66, and so strictly outside the scope of my historical survey) praises Fichte for his assertion that "we can do everything we can will" and for both limiting duty to the (naturalistically) possible, and including human progress (and so the expansion of the possible) within the scope of moral duty (*Schriften zur Ethik*, 201–2).

he is able to elaborate a complete science of ethics, rather than "only a formal, empty metaphysics of morals," *only* because he has conceived of the ethical drive as a synthesis of lower and higher drives.[55]

The second worry is with how the concerns of the agent qua spontaneous intelligible will could acquire any grip on the (by hypothesis, self-interested) agent qua empirical human being. The problem here lies not only in the weakness of Kant's arguments for the necessity of regarding ourselves as intelligible beings and therefore free (though the sentiment that this account is implausible is indeed ubiquitous). Nor can it lie only in dissatisfaction with Kant's claim in the second *Critique* that we cannot and need not explain the interest we take in morality, because it is undeniable that we in fact take such an interest.[56] Or at any rate we cannot take it to lie there if our aim is to understand why anyone found Fichte's account superior. For neither Fichte's reconceptualization of human psychology in terms of drives, nor his claim that independence rather than happiness is our most fundamental end, could be expected to convince the entrenched rational egoist unmoved by Kant's account.

The only problem in the vicinity that Fichte can plausibly be taken to have solved lies in the fact that Kant stops short of the full impartialism about reasons that will characterize Fichte's view. Here Fichte's strategy of simply giving no quarter to the idea of rational partiality to self has an advantage. Fichte can appeal without reservation to an observation about the nature of reasons that is so often attributed to Kant (at least in elementary reconstructions of his ethical thought): there is ultimately no rational justification for putting one's own interests above others' where these conflict, for the fact that they are one's own does not, all by itself, count in their favor. The problem for Kant is that, consistently applied, that observation leads all the way to the view that partial self-interest is the source of no genuine reasons at all.

It seems to me that such a claim would conflict with Kant's own account of what the categorical imperative rules out. The agent-relative reasons of distinct agents can conflict in two importantly distinct types of cases: on the one hand, cases in which a collectively enforced rule of cooperation would be in everyone's self-interest; on the other hand, cases in which redistributions of benefits and burdens would lead to the greater collective good (that is, where one person's sacrifice disproportionately benefits another, but no correlative benefit could accrue to the person making the sacrifice, even if everyone always made such sacrifices in similar situations). Fichte's account gives him the same story to tell about both sorts of cases: it is wholly accidental whether I (the deliberator) am this empirical individual or that one; and so I should both always cooperate, and always sacrifice my own good for the greater benefit of others. Kant's descriptions of the duty of beneficence make it clear that he does not intend to make the same claim, and there is some consensus among contemporary Kantians that he is committed to

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[55] "If one looks only to the higher faculty of desire, one obtains only a formal, empty metaphysics of morals. Only through synthetic unity of this one with the lower does one attain a system of ethics, which must be real" (J. G. Fichte, *Werke*, 4:131). This claim was quoted with approval by commentators: cf. e.g. Schleiermacher, *Grundlinien einer Kritik*, 446–47; Erdmann, "Pflichtenlehre," 208.

[56] Kant, *Kritik der praktischen Vernunft*, 5:30–31.

denying that morality demands sacrifices of the second sort.[57] But to say that is just to say that partial, self-interested reasons overrule impartial, agent-neutral reasons in such cases.

But regardless of whether that is the correct understanding of Kantian duties of beneficence, what is more important (and what explains the fact that in this nineteenth-century literature the alleged superiority of Fichte's moral psychology is linked to the issue of the antinomy) is that such a claim would eliminate one of the conditions of possibility of an antinomy of practical reason.[58] For what Kant affirms in claiming that there is an antinomy is precisely this: the fact that a given experience (e.g. of happiness) is one's own *is* a rational consideration. That admission makes Kant's applicability question harder to answer than Fichte's, since it admits partial, agent-relative reasons as genuine, and places on Kant the burden of explaining why action on them is irrational where collectively self-defeating, even when it is clearly not individually self-defeating. It also commits Kant to a dualism of practical reasons, which might be thought to call for a more principled delineation of their relative scope than he anywhere provides.[59]

We can see at this point that in fact the three points of relative consensus that I drew from the nineteenth-century literature in §2 are connected with one another. It is because Fichte's normative theory is broadly consequentialist (§2.2) that all non-derivative reasons can be agent-neutral on his account. It is because he admits no non-derivative agent-relative reasons (and so no reasons of partial self-interest) that nothing like the Kantian antinomy of practical reason can arise for Fichte (§2.3). Finally, it is because Fichte is operating with a more austere typology of practical reasons that his ethical works can appear more systematic than Kant's (§2.1).

4 .

It goes without saying that none of the differences picked out as improvements over Kant by nineteenth-century readers need have any appeal to readers of today. Why, then, apart from its historical importance (which will at this point be clear), should the earlier reception of Fichte's ethical thought hold any interest for us?

After all, an obvious explanation of Fichte's greater visibility in the nineteenth century would be his greater historical proximity to thinkers of that era. If Kant has remained in focus while Fichte has faded from view, that may simply be because Kant's contribution was the more lasting one. In terms of the historical development of ethics, this is no doubt true, but it does not even begin to explain the degree of Fichte's contemporary obscurity.[60] For Fichte's practical philosophy

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[57]Cf. e.g. Herman "Mutual Aid and Respect for Persons" and "The Scope of Moral Requirement."

[58]It is thus no accident that whereas in the *Attempt at a Critique of all Revelation*, where Fichte had accepted that happiness on something like the Kantian conception is an inevitable end of human beings, he also accepted the existence of an antinomy of practical reason and endorsed the Kantian postulates of God and immortality. By the time of the *System of Ethics,* all of these features of the Kantian view have been eliminated.

[59]The variety of treatments of Kantian duties of beneficence—in Kant's own works, and in the works of contemporary Kantians—is a good demonstration of the absence of a clear delineation of the scope of partial reasons within Kantian theory.

[60]Fichte's obscurity today most likely has its roots in the repudiation of post-Kantian idealism in general on the part of those who first revived Kantianism in the late nineteenth century. Fichte was

continues to be relevant—far more relevant than is generally recognized—to the project of ethics in a Kantian spirit. But, with few exceptions,[61] contemporary Kantians are unfamiliar with Fichte's work. This is true even of those whose interpretations of Kant are remarkably Fichtean.[62] That situation is unfortunate, and Fichte's early reception has something to teach us about why.

In the first half of the nineteenth century there was a preponderance of opinion that Fichte's *System of Ethics* improves on Kant's ethical writings in several ways that nonetheless leave it fundamentally Kantian in spirit. But the specific ways in which Fichte's ethics departs from Kant's appear, to us today, substantial and fundamental. Fichte's normative ethics is consequentialist in structure; and that, in this nineteenth-century literature, was seen as a virtue. It admits no reasons of self-interest and so is far more demanding than Kant's; and that, in this nineteenth-century literature, was seen as a virtue. Yet when we look at the late twentieth- and early twenty-first-century literature, the virtues of Kantian ethics are taken to include its resources for justifying agent-centered constraints and so resisting consequentialism;[63] and for justifying the default stance of partiality to self (except in some well-defined instances) and so resisting the demandingness that is thought to go along with consequentialism.[64]

It is an extraordinary fact that the verdicts in these two literatures—that of the early nineteenth-century and that of the early twenty-first—diverge as radically as they do about these issues. It is clear that either they were wrong, or we are, about what it means to be a Kantian in ethics. That, in turn, suggests that we have something to learn from a confrontation with this literature, and from Fichte, about what Kantianism in ethics allows and requires.[65]

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then left out of the Hegel renaissance that began in the 1970s for the same reasons that Schelling was: these figures were approached through Hegel's reading of them, and Hegel's misinterpretations of them have stuck. (I examine one such misinterpretation in Kosch, "Practical Deliberation and the Voice of Conscience in Fichte's 1798 *System of Ethics*.")

[61]Wood, *Kantian Ethics*; Darwall, *The Second-Person Standpoint* (though this latter is an application not of Fichte's ethics per se, but of an insight taken from Fichte's political thought, to a broadly Kantian ethical project).

[62]Herman, *Moral Literacy*, and Uleman, *An Introduction to Kant's Moral Philosophy*, are two examples here. I discuss the parallels in detail in Kosch, "Agency and Self-Sufficiency in Fichte's Ethics."

[63]C.f. e.g. Darwall, "Agent-centered Restrictions from the Inside Out"; for an opposing view see Cummiskey, *Kantian Consequentialism*.

[64]Cf. e.g. Herman, "Mutual Aid and Respect for Persons" and "The Scope of Moral Requirement."

[65]Thanks to the audience at the eighth international Fichte congress in Bologna and to two anonymous reviewers for this journal for comments on earlier versions of this paper.

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[66]This review is anonymous in the *Göttingische Bibliothek* and its author is apparently unknown to the editors of *Fichte in zeitgenössischen Rezensionen*, but the review appears to have been written by Johann Gottfried Immanuel Berger (1773–1803, repetent in theology at the University of Göttingen). Städlin identifies the author of this review only as *der verstorbene Berger* (Städlin, *Geschichte der Moralphilosophie*, 990n.), but the only other "Berger" who is a likely candidate (Johann Erich von Berger, who was a student of Fichte) was alive until 1833.

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