

Fichte's Deduction of the Moral Law

PHIL 971 Kant Seminar

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1 Problems from Kant

1.1 The Moral Law & Subjectivity

- How is the moral law connected to Kant's theory of subjectivity?
 - GW III proof of transcendental freedom of will & morality as its law
 - Second Critique "Fact of Reason" presentation of freedom

1.2 Reason Divided?

- Kant speaks of "reason" (*Vernunft*) as a unitary faculty with a "common principle"¹
- In what sense is the faculty of theoretical reason, which pursues the systematicity of its cognitions, identical with the faculty of practical reason, which binds the causally unconditioned aspect of the rational (human) will by (categorical) laws?^{2,3}
 - Is the categorical imperative the supreme or "common" principle of reason?⁴

2 Fichte's Deduction

2.1 Structure of Part I

- Preliminary Remark
- §1 Problem: To think oneself, merely as oneself (24)
 - Solution:
 1. I find myself only as willing (24)
 2. Willing is thinkable only under the presupposition of something different from the I (29)
 3. Abstracting from everything foreign in willing reveals the subject's essence as absolute willing (30)
 - Result: The I is essentially a tendency to self-activity for self-activity's sake (34)
- §2 Problem: To become conscious in a determinate manner of the consciousness of one's original being (35)

¹ Nothing here can escape us, because what reason brings forth entirely out of itself cannot be hidden, but is brought to light by reason itself as soon as reason's common principle (*gemeinschaftliches Prinzip*) has been discovered (Axx)

² [A critique of pure practical reason] is not of such utmost necessity as [a critique of pure theoretical reason], because in moral matters human reason can easily be brought to a high degree of correctness and accomplishment, even in the most common understanding, whereas in its theoretical but pure use it is wholly dialectical [i.e., a source of illusion]...I require that the critique of pure practical reason, if it is to be carried through completely, be able at the same time to present the unity of practical with speculative reason in a common principle, since there can, in the end, be only one and the same reason, which must be distinguished merely in its application. (G 4:391)

³ if pure reason of itself can be and really is practical, as the consciousness of the moral law proves it to be, it is still only one and the same reason which, whether from a theoretical or a practical perspective, judges according to a priori principles (KprV 5:121)

⁴ To make use of one's own reason means no more than to ask oneself, whenever one is supposed to assume something, whether one could find it feasible to make the ground or the rule on which one assumes it into a universal principle for the use of reason. (OT 8:146n)

- The tendency to absolute activity (36ff)
- The spring analogy (37-8)
- Self-determination (38ff)
- Freedom as a power or faculty (41ff)
- §3 Problem: To observe how the I becomes conscious of its own tendency toward absolute self-activity as such (43)
 - Solution:
 1. The posited tendency necessarily manifests itself in relation to the entire I as a drive (44)
 2. No feeling results from this manifestation of the drive, which is what one would generally have expected (46)
 3. From the manifestation of the drive, however, a thought [i.e. a “determination of the intellect”] necessarily arises (48)
- Description of the principle of morality according to this deduction (60)⁵
- Transcendental view of this deduction

⁵ The principle of morality is the necessary thought of the intellect that it ought to determine its freedom in accordance with the concept of self-sufficiency, absolutely and without exception (Fichte 2005, 60)

2.2 The Problem of Self-Determination

- What is the distinction between being *determined* and being *self-determined*?
- What distinguishes rational beings from the steel spring? (32-3, 37-8)
 - Being determined entails that “essence precedes existence”⁶
 - Self-determination entails that “existence precedes essence”⁷

⁶ The nature of a thing lies in its fixed subsistence, lacking any inner movement, passive and dead... [it is] something that is fixed and unchangeable. This is the nature of a thing, which does not depend upon the thing at all; for a thing is itself its own nature, and its nature is precisely the thing (4:34; Fichte 2005, 39)

⁷ something that is supposed to determine itself would, in a certain respect, have to be before it is, before it has properties and any nature at all. ... As an intellect with a concept of its own real being, what is free precedes its real being, and the former [that is, the intellect] contains the ground of the latter [that is, its own real being]. The concept of a certain being precedes this being, and the latter depends upon the former. (4:36; Fichte 2005, 40)

2.3 Absolute Willing & Self-Determination

Formal self-determination a subject is formally self-determined if it determines itself to act in accord with any practical maxim whatsoever

Substantive self-determination A subject is practically self-determined if it is (i) formally self-determined; (ii) also determines the maxims themselves according to which it acts, not arbitrarily, but in accord with norms that articulate the criteria for maxims ought to be adopted; (iii) the norms for such adoption originate (in some sense) from the subject itself

- Why is the willing of the I ‘absolute’ (or why does the I exist as absolute willing)?⁸
 - Willing is the capacity to choose (4:159) and an absolute will is a capacity to choose, or be determined, by nothing other than oneself. What other things might determine the will? Incentives – i.e. desires or wishes or other conative states. So the will has the (absolute) power to make or refrain from making an incentive the motive for action.
- Reflection as the capacity to act or refrain based on reasons⁹

⁸ Insofar as willing is something absolute and primary, therefore, it simply cannot be explained on the basis of any influence of some thing outside the I, but only on the basis of the I itself; and this absoluteness of the I is what would remain following abstraction from everything foreign. (4:25; Fichte 2005, 30)

⁹ By means of reflection ... the individual tears himself away from the natural drive and makes himself independent of it (*stellt sich unabhängig von ihm hin*) as a free intelligence; he thereby obtains for himself the capacity to postpone the self-determination and, with this, the capacity to choose between various ways of satisfying the natural drive. (4:179; Fichte 2005, 170)

2.4 Self-Sufficiency

- The highest law of the intellect (i.e. the law through which it determines itself 'absolutely' via a concept) is that of self-sufficiency¹⁰

2.5 The Unity of Reason

- There is a general principle according to which reason operates and is "unitary" in its practical and theoretical aspects¹¹

References & Further Reading

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¹⁰ The content of this thought [viz. the principle of morality] is that a free being ought, for the determinacy of freedom expresses itself precisely as an "ought." [It expresses the fact] that a free being ought to bring its freedom under a law, that the law in question is none other than the concept of absolute self-sufficiency (absolute indeterminability through anything outside it), and, finally, that this law is valid without exception, since it contains the original determination of a free being. (4:60; Fichte 2005, 61)

¹¹ practical reason is by no means a "second reason," but the same reason that we all surely recognize as theoretical reason. ... Thus, merely through its self-intuition and through the law of finitude, to which such self-intuition is bound, reason's doing becomes, for reason itself, a determinate doing. The determinacy of pure doing as such, however, yields no being, but rather an ought. Thus reason determines its own activity through itself. But "to determine an activity" and "to be practical" are one and the same. (4:57; Fichte 2005, 59)