[17] First main division
Deduction of the concept of right

§1 First theorem

A finite rational being cannot posit itself without ascribing a free efficacy to itself

(I) *If a rational being is to posit itself as such, then it must ascribe to itself an activity whose ultimate ground lies purely and simply within itself.* (The antecedent and the consequent are reciprocal propositions: one denotes what the other denotes.)

Activity that reverts into itself in general (I-hood, subjectivity) *is the mark of a rational being.* Positing oneself (reflection upon oneself) is an act of this activity. Let this reflection be called A. *Through the act of such activity, the rational being posits itself.* All reflection is directed at something as its object, B. What kind of something, then, must the object of the requisite reflection, A, be? – The rational being is supposed to posit itself in this reflection, to have itself as an object. But the mark of the rational being is activity that reverts into itself. Therefore, the final and highest substratum, B, of the rational being's reflection upon itself must also be an activity that *reverts into itself and determines itself.* Otherwise, the rational being would not posit itself as a rational being and would not posit itself at all, which contradicts our presupposition.

The rational being presented here is a *finite* rational being. *But a finite rational being is one that can reflect only upon something limited.* These two concepts are reciprocal concepts; one denotes what the other denotes. Therefore, the activity B that reverts into itself would have to be

limited; i.e. outside B, there would also have to be a C posited by the reflecting activity that is not this activity but opposed to it.

[18] (II) *Its activity in intuiting the world cannot be posited by the rational being as such,*

for this world-intuiting activity, by its very concept, is not supposed to revert into the intuiter; it is not supposed to have the intuiter as its object, but rather something outside and opposed to the intuiter; namely, a world.

(Afterwards, however, the rational being can ascribe this *acting*, i.e. the intuiting, to itself and can raise it to consciousness; the rational being can posit itself as intuiting. In fact, from the point of view of a transcendental philosophy, one even realizes that the intuiting is itself nothing more than an I that reverts into itself and that the world is nothing more than the I intuited in its original limits. But, in order to be capable of ascribing something to itself, the I must already exist for itself; this is simply the question of how the I can exist originally for itself, and this cannot be explained out of the intuiting of the world; rather, intuiting the world becomes possible only by virtue of the I's existing for itself, which is what we are seeking.)

(III) *But the activity we are seeking can be posited by the rational being in opposition to the world, which would then limit the activity; and the rational being can produce this activity in order to be able to posit it in opposition to the world; and if such an activity is the sole condition of the possibility of self-consciousness (and self-consciousness must necessarily be ascribed to the rational being, in accordance with its very concept), then what is required for such self-consciousness must occur.*

(a) If we are to advance in our speculation towards a presentation of a doctrine of natural right, then we who are philosophizing, though not yet the rational being about which we are philosophizing, must be aware of the rational being's activity in intuiting the world. This activity is *constrained* and *bound*, if not with respect to its form (i.e. that the activity occurs) then with respect to its content (i.e. that the activity, once it occurs in a particular case, proceeds in a certain way). We must represent the objects as we take them to be apart from any [19] contribution from us; our representing must conform to their being. Therefore, an activity opposed to such representational activity would have to be *free* with respect to its content; one would have to be able to act in a variety of ways.

Furthermore, the free activity is supposed to be limited by the world-intuiting activity, i.e. the world-intuiting activity is itself that free activity in the state of being bound; and conversely, the free activity is the activity involved in intuiting the world when the character of being bound falls away: the objects are objects solely because, and insofar as, they are not supposed to exist by virtue of the I's free activity; and this free activity must be curbed or held in check [*aufgehalten*] and limited, if the objects are to exist. But free activity aims at nullifying the objects, insofar as they bind it. Therefore, it is an *efficacy* directed at objects, and intuition is an efficacy that has been nullified, one that has been freely surrendered by the rational being itself.

This is the activity to be posited, B, in its relation to the intuiting of the world and the world itself. But now this activity, B, necessarily is supposed to be the rational being's reversion into itself, and insofar as it is directed at objects, it is not such a reversion. Thus, considered in relation to the rational being itself, this activity must be a free self-determination to exercise efficacy. Insofar as this activity is directed at the object, it is determined with respect to its content. But this is not how the activity, originally and in accordance with its essence, is supposed to be; thus it is determined by itself; it is determined and determining at the same time. Thus it is genuinely an activity that reverts into itself.

What has just been said can be presented systematically in the following way: The activity to be demonstrated is *to be posited in opposition* to the intuiting and is to that extent absolutely free, because the intuiting is bound; the activity is directed at the rational being, or, what amounts to *the same thing*, the activity reverts into itself (for the rational being and its activity are one and the same) because the intuiting is directed at something outside the rational being; to this extent, the activity is the *act of forming* the concept of an intended efficacy outside us, or the concept of an *end* [*Zweck*]. At the same time, the activity is to be [**20**] *related* to – i.e. posited as identical to – the intuiting; then the activity is an efficacy directed at objects, but (and this is a point not to be overlooked) it is an efficacy that follows immediately from the concept of an end, and is the same as the intuiting, only viewed from a different perspective.

(b) By means of such an activity, the self-consciousness we are seeking becomes possible. The activity is something that has its ultimate

ground in the rational being itself, and it is to be posited as such by means of its possible opposition to something that does not have its ground in the rational being. The I (the rational being itself, as such) would now be limited and determinate, and therefore capable of being grasped by reflection: that is, the practical I would be the I for reflection, the I that is both posited by itself and to be posited by itself in reflection; and something could be ascribed to this I (as logical subject) by a possible predicate, just as the intuition of the world is ascribed to the I here.

(c) Self-consciousness becomes possible *only* by means of such an activity. For what has been presented here contains nothing other than the characteristics that were shown above to be conditions of self-consciousness; namely, that there is an activity that reverts into itself or an activity that has its ultimate ground in the rational being itself, that this activity is finite and limited, that it is posited as limited (i.e. in opposition and relation to something that limits it) and as occurring simply through the fact that the activity is reflected upon.

Therefore, such an activity and the positing of it are necessarily presupposed, just as self-consciousness is presupposed, and both concepts are identical.

Corollaries

(1) What is being claimed is that the practical I is the I of original self-consciousness; that a rational being perceives itself immediately only in willing, and would not perceive itself and thus would also not perceive the world (and therefore would not even be an intelligence), if it were not a practical being. Willing is the [21] genuine and essential character of reason; according to philosophical insight, representing does of course stand in reciprocal interaction with willing, but nevertheless it is posited as the contingent element. The practical faculty is the innermost root of the I; everything else is placed upon and attached to this faculty.

All other attempts to deduce the I in self-consciousness have been unsuccessful, because they must always presuppose what they want to deduce; and the reason they were bound to fail is evident here. – After all, how could one assume that an I would emerge through the connection of several representations – none of which contained the I itself – if they were simply combined together? Things can be connected

within the I only after the I exists; thus prior to all connection, the I must exist, and this obviously means – as it always does here – that it exists *for the I.*[a]

(2) Thus willing and representing stand in constant, necessary reciprocal interaction, and neither is possible if the other is not present at the same time. One will readily acknowledge – as it has been for a long time – that all willing is conditioned by representing: I must represent whatever I will. In contrast, the claim that all representing is conditioned by willing is likely to encounter resistance. But there can be no representing, unless there is something that represents, and no representing can be posited with consciousness, unless something that represents is posited. But that which represents is – not [**22**] *accidentaliter*, insofar as it now represents, but rather *substantialiter*, insofar as it exists at all and is something – either something that actually wills or something that is posited and characterized by its capacity to will. – Mere [theoretical] intelligence does not constitute a rational being, for it cannot exist on its own, nor does the practical faculty alone constitute one, because it, likewise, cannot exist on its own; rather, only the two, together in unity, complete the rational being and make it a whole.

(3) Only through this reciprocal interaction between the I's intuiting and willing does the I itself – and everything that exists for the I (for reason), i.e. everything that exists at all – become possible.

First of all, the I itself. – The possibility of the I itself, one might say, is supposedly preceded by a reciprocal interaction between the I's intuiting and willing; there is supposed to be something that stands in reciprocal interaction within the I, even before the I itself exists; and this is contradictory. But this is precisely the illusion that is to be avoided. Intuiting and willing neither precede nor follow the I, but rather are themselves the I; both occur only insofar as the I posits itself, they occur only in this positing and only by positing *that* they occur; it

[a] The I *that* is said to reflect (so too the I *that* is said to determine itself to exercise efficacy, the I *that* is said to intuit the world, etc.) *precedes* [all else]. It does so, obviously, for the I that is engaged in philosophical reflection, which, to be sure, is also an I and thus bound by the laws of its being; and it does so *in consequence of these laws alone.* This is the I that is discussed in the first principle of the *Wissenschaftslehre.*

Now *for* this reflecting I, another I is supposed to be an object, i.e. this reflecting I is supposed to be an object for itself. How is this possible? That is the issue here. – Attentive readers, forgive me for this note. It is not intended for you, but for superficial and distracted readers, who need it here. These readers are asked to refer to this note whenever they happen to need it again.

is absurd to think of something occurring outside and independent of this positing; conversely, the I posits itself insofar as both the intuiting and the willing occur and insofar as it posits *that* both occur. It is equally absurd to think of any positing of the I that does not involve these two. At the very least, it is unphilosophical to believe that the I is anything other than its *own deed and product simultaneously*. As soon as we hear of the I as active, we do not hesitate to imagine a substratum that is supposed to contain this activity as a bare capacity. This is not the I, but rather a product of our own imagination, which we construct in response to the demand to think the I. The I is not something *that has capacities*, it is not a capacity at all, but rather is *active*; it is what it does, and when it does nothing, it is nothing.

[23] It has been asked: how does the representing subject come to believe that, outside its representation, there exists an object of that representation, and that this object is constituted as it is represented? If one had only thought correctly about what this question meant to express, one would have already proceeded beyond it and arrived at the correct concepts. – The I itself makes the object through its acting; the form of its acting is itself the object, and there is no other object to think of. A being whose mode of acting necessarily becomes an object is an I, and the I itself is nothing more than a being whose mere mode of acting becomes an object. If the I acts with its full capacity – one has to express it this way in order to express it at all – then it is an object for itself; if it acts with only a part of its capacity, then it has as an object something that supposedly exists outside itself.

To grasp oneself in this identity of acting and being acted upon (not just in the acting, not just in the being acted upon, but in the *identity* of both), and to catch oneself in the act, so to speak, is to comprehend the pure I and to achieve the viewpoint of all transcendental philosophy. This talent seems to be completely lacking in some people. If a person – even when he takes pains to grasp this identity – can view these two sides of the I only as separate and isolated, and if he always only happens to grasp either what is active or the object of the activity, then, because of this separation, he will obtain completely contradictory results, which can be united in appearance only, since they were not united from the very beginning.

§2 Inference

By thus positing its capacity to exercise free efficacy, the rational being posits and determines a sensible world outside of itself

(I) It *posits* the sensible world. Only what is absolutely self-active or practical is posited as subjective, as belonging to the I, and [24] through the limitation of it, the I itself is limited. Whatever lies outside this sphere is, for precisely this reason, posited as something that is neither produced nor producible through the I's activity; thus it is excluded from the I's sphere, and the I is excluded from its sphere. There emerges a system of objects, i.e. a world that *exists independently of the I* (that is, of the practical I, which here is taken to be the I in general), and independently of which *the I likewise exists* (once again, the practical I, which determines its own ends); therefore, these two exist outside each other, and each has its separate existence.

Corollaries

(1) The transcendental philosopher must assume that everything that exists, exists only *for* an I, and that what is supposed to exist for an I, can exist only *through* the I. By contrast, common sense accords an independent existence to both and claims that the world would always exist, even if understanding did not. Common sense need not take account of the philosopher's claim, and it cannot do so, since it occupies a lower standpoint; but the philosopher certainly must pay attention to common sense. His claim is indeterminate and therefore partly incorrect as long as he has not shown how precisely *common sense follows necessarily* only from his claim *and can be explained only if one presupposes that claim.* Philosophy must deduce our belief in the existence of an external world.

Now this has been accomplished here on the basis of the possibility of self-consciousness, and our belief in the existence of an external world has been shown to be a condition of this self-consciousness. Since the I can posit itself in self-consciousness only practically, but in general can posit only what is finite, and hence must also posit a limit to its practical activity, it follows that the I must posit a world outside itself. Every rational being proceeds originally in this way, and so, too, undoubtedly the philosopher.

[25] Now although the philosopher later arrives at the insight that the rational being must first posit its suppressed practical activity in order to be able to posit and determine the object (and that therefore the object itself is by no means immediately given, but is originally produced only in consequence of something else), this insight does not create any obstacles for common sense. For common sense cannot become conscious of these operations as they have just been postulated (since they condition the possibility of all consciousness and thus lie outside its sphere), and it does not engage in the speculations that guide the philosopher's beliefs. This insight does not create any obstacles for the philosopher either, once he comes to occupy the standpoint of common sense.

One might ask: if reality belongs only to *that which* is necessarily posited by the I, then what reality is supposed to belong to those actions that lie outside the sphere of all consciousness and are not posited within consciousness? – Obviously, no reality except insofar as it is posited, and thus merely a reality for philosophical understanding. If one wanted to unite the operations of the human mind systematically in an ultimate ground, one would have to assume that this and that were actions [*Handlungen*] of the human mind; every rational being who attempts such a systematization will find himself in this necessity; this and nothing more is what the philosopher asserts. These original actions [*Tathandlungen*][1] of the human mind have the same reality that is possessed by the causality of things in the sensible world on one another and by their universal reciprocal interaction. For those primitive peoples (whose monuments we still have) who barely unified their experiences, but instead allowed individual perceptions to lie scattered about within their consciousness, there was no – at least no very advanced – causality or reciprocal interaction among things. They

[1] *Tathandlung* is best known as the term Fichte invents in the 1794 *Wissenschaftslehre* to denote the subject's self-positing character (*The Science of Knowledge*, §1). Literally, it means "fact-act" (or "deed-act") and is supposed to capture the idea that the existence (or "fact") of the I is identical with its activity – that the I has no existence (as a substance) beyond its conscious activities. In his "Second Introduction to the *Wissenschaftslehre*" Fichte defines *Tathandlung* as an "activity that presupposes no object but instead produces its object itself . . . an *acting* that immediately becomes a *deed*" (see J. G. Fichte, *Introductions to the Wissenschaftslehre*, trans. Daniel Breazeale (Indianapolis: Hackett Publishing Co., 1994), p. 51). In the present context Fichte calls the actions of the human mind *Tathandlungen* because he wants to emphasize the mind's active role in positing, or constituting, objective reality: reality is a fact, or deed, that results from the actions of the conscious subject.

regarded almost all objects in the sensible world as living things and made them into free, first causes, such as they themselves were. It is not just that a universal connection among things had *no reality* for them, but rather that it *did not at all exist* for them. However, anyone who connects his experiences into a unity – and the [**26**] task of doing so lies on the path of synthetically progressive human reason and had to be undertaken and carried out sooner or later – must necessarily connect them in that way; for him the entire ensemble of connections given in this way has reality. As soon as the human mind reverts back into itself after completing this task (as it did for the first time completely and with clear awareness in the work of one of its most eminent representatives, Kant), and finds that everything it believes it perceives outside itself was actually produced by and from itself, then the task that arises for reason in its constant synthetic progression is similarly to unite all these operations of the human mind in one ultimate ground; and this unification has the same reality possessed by the universal connection among things, and for the same reason. This final task for the synthetic faculty, after the completion of which humankind returns once again to analysis (which from then on acquires a completely different meaning) also had to be resolved sooner or later; only one might wish that those who lack the ability to participate in this business would pay no attention to the reality that is being highlighted here – just as they have never paid attention to it before – and would not insist on reducing it to the kind of reality they are familiar with. – To claim that a pure I and its preconscious operations have no reality because they are not present in common consciousness is the same as saying what an uneducated savage would say if he were to speak: "Your causality and your reciprocal interaction have no reality because they cannot be eaten."

(2) The deduction of our belief in the existence of a sensible world outside us immediately entails something about the extent of this belief, and about the state of mind within which it occurs: for nothing that is grounded extends further than its ground, and as soon as one knows the ground of a particular mode [**27**] of thinking, one also knows its scope. Our belief in the existence of a sensible world outside us extends to the point where our practical capacity is distinguished from and opposed to our theoretical capacity; it extends to the point where our representation of the influence of things upon us, and our counter-influence upon them, extends, for it is only by virtue of such influence and counter-

influence that our practical capacity is posited as limited. This is also why philosophers have always derived their proof of the reality of an external world from the influence that that world has upon us; of course, this proof presupposes what is supposed to be proved, but it is pleasing to common sense, since it is the same proof that common sense employs.

But how does the speculative philosopher bracket this belief for a moment, so that he can go beyond it in his investigations? Evidently, by rejecting the very distinction that conditions it. If we consider just the activity of representing and want to explain it alone, then a necessary doubt will arise about the existence of things outside us. The transcendental idealist comprehends practical and theoretical activity at the same time as activity in general, and thus necessarily concludes – because there is no passivity in the I, as indeed there cannot be – that the entire system of objects for the I must be produced by the I itself. But precisely because he has comprehended both, he can also, at the proper time, separate the two and exhibit the standpoint that ordinary common sense necessarily occupies. The dogmatic idealist completely excludes practical activity from his investigations; he considers only theoretical activity and wants to ground it through itself, and so it is only natural that he must make theoretical activity into something unconditioned. – This mode of speculation is possible for both kinds of philosophers only so long as they remain within the seclusion of thought, but as soon as their practical activity is aroused, they immediately forget their speculative beliefs and return to the commonsense view of things, because they must. There has never been an idealist who extended his doubt or his supposed certainty [28] to his actions, nor can there ever be one; for such an idealist would then be unable to act at all, in which case he would also be unable to live.

(II) Through that positing of free activity, the sensible world is simultaneously determined, i.e. it is posited as having certain unchanging and general characteristics.

First of all – the concept of the rational being's efficacy is constructed by means of absolute freedom; thus, the object in the sensible world, as the opposite of such efficacy, is established, fixed, and unalterably determined. The I is infinitely determinable; the object, because it is an object, is determined all at once and forever. The I is what it is in *acting*, the object in *being*. The I exists in a state of endless becoming, there is

nothing permanent in it at all: the object is as it is forever; it is what it was and what it will be. Within the I lies the ultimate ground of its acting; within the object, the ultimate ground of its being: for the object contains nothing but being.

Next – the concept of efficacy, which is constructed with absolute freedom and could be varied under the same circumstances *ad infinitum*, extends out to an efficacy in the object. Thus the object must be infinitely alterable, in consequence of an infinitely variable concept; one must be able to make of the object whatever one can will to make of it. The object is fixed, and thus by virtue of its constancy it could indeed *resist* the I's influence, but the object is not capable of any alteration by itself (it cannot *instigate* any effect); thus it cannot *act* contrary to the I's influence.

Finally – the rational being cannot posit itself as having efficacy without also positing itself as representing; it cannot posit itself as having an effect on a particular object without all the while representing that particular object; it cannot posit any particular effect as completed without positing the object at which the particular effect was directed. That is, since the object is posited as nullifying the I's efficacy, yet the efficacy is supposed to persist along with the object, there is [29] a conflict here that can be mediated only through an oscillation of the imagination [*ein Schweben der Einbildungskraft*], between both of these moments, an oscillation through which *time* comes to be.[b] This is why efficacy directed at an object occurs successively in time. Now if the efficacy is exercised on one and the same object, and is therefore regarded at each present moment as conditioned by the preceding moment and, mediately, by the efficacy exercised in all preceding moments, then the state of the object at each moment is likewise regarded as conditioned by its state in all preceding moments, from the first cognition of the object onwards. Thus the object remains the same object, even though it is endlessly altered; that is, the substratum

[b] In connection with this, one can read Jacobi's *Dialogue on Idealism and Realism*,[2] where he convincingly shows that representations of time, which in themselves contradict the pure concept of causality, are applied to that concept only from the representation of our own efficacy upon things.

[2] In his *David Hume on Belief, or Idealism and Realism* (1787), Friedrich Heinrich Jacobi (1743–1819) argued that our representation of time, as well as our concepts of cause and effect, depended on our practical engagement with the world and could not be explained, as Kant had attempted to do in the first *Critique*, from the perspective of theoretical reason alone. For more on Fichte's concept of oscillation, or *schweben*, see n. 1, p. 175.

brought forth by the imagination in order to connect the manifold in the same object (that which underlies the accidents that ceaselessly exclude one another and is called "bare matter") remains the same. This is why we can posit ourselves only as altering the form of things, but never the matter, and why we are conscious of our capacity to alter the forms of things *ad infinitum* but of our incapacity to create or annihilate those things. It is also why, for us, matter can be neither increased nor diminished and why from the standpoint of ordinary consciousness (but certainly not from the standpoint of transcendental philosophy), matter is originally given to us.[c]

[30] §3 Second theorem

The finite rational being cannot ascribe to itself a free efficacy in the sensible world without also ascribing such efficacy to others, and thus without also presupposing the existence of other finite rational beings outside of itself

Proof

(I) (a) According to the proof conducted above (§1), the rational being cannot posit (perceive and comprehend) an object without simultaneously – in the same, undivided synthesis – ascribing an efficacy to itself.

(b) But it cannot ascribe an efficacy to itself without having posited an object upon which such efficacy is supposed to be exercised. The positing of the object as something that is determined through itself, and thus as something that constrains the rational being's free activity, must be posited in a prior moment in time; it is only through this prior moment that the moment in which one grasps the concept of efficacy becomes the present moment.

(c) Any act of comprehension is conditioned by a positing of the rational being's own efficacy; and all efficacy is conditioned by some prior act of comprehension by the rational being. Therefore, every possible moment of consciousness is conditioned by a prior moment of consciousness, and so the explanation of the possibility of consciousness

[c] A philosophy that starts from the facts of our consciousness of what is *found* when one regards the I simply as something acted upon cannot advance beyond the point where matter is given; thus such a philosophy proceeds with complete consistency when it claims that matter is originally given to us.

already presupposes consciousness as real. Consciousness can be explained only circularly; thus it cannot be explained at all, and so it appears to be impossible.

Our task was to show how self-consciousness is possible. In response to that task, we answered: self-consciousness is possible if the rational being can – in one and the same undivided moment – ascribe an efficacy to itself and posit something in opposition to that efficacy. Let us suppose that this occurs at some moment, Z.

[31] Now the further question is: under what condition is this required occurrence possible? And then it immediately becomes clear that the efficacy to be posited can be posited only in relation to some particular object, A, towards which the efficacy is directed. It would be wrong to say that perhaps an efficacy *in general*, a merely *possible* efficacy, could be posited here; for that would amount to an indeterminate thought, and the practice of arguing from general presuppositions may well have already done enough damage to philosophy for the time being. A merely possible efficacy, or an efficacy in general, is posited only by abstracting from some particular, or from all *actual*, efficacy; but before one can abstract from something, the thing must be posited, and here – as always – the indeterminate concept of something *in general* is preceded by a determinate concept of a determinate something *as actual*, and the former is conditioned by the latter. – It would be equally wrong to say that the efficacy can be posited as an efficacy directed at some object, B (which is also to be posited at moment Z), for B is posited as an object only insofar as there is no efficacy being exercised upon it.

Accordingly, the moment Z must be explained on the basis of another moment in which the object, A, is posited and comprehended. But A, too, can be comprehended only under the condition that made it possible for B to be comprehended; that is to say, the moment in which A is comprehended is also possible only under the condition of a preceding moment, and so on *ad infinitum*. We have not found any possible moment in which we might attach the thread of self-consciousness (through which alone all consciousness becomes possible), and thus our task is not solved.

For the sake of understanding the entire science to be established here, it is important that one achieve a clear insight into the reasoning just presented.

(II) The reason the possibility of self-consciousness cannot be ex-

plained without always presupposing it as already actual lies in the fact that, in order to be able to posit its own efficacy, the subject of self-consciousness [32] must have already posited an object, simply as an object. This is why we were always driven beyond the moment within which we wanted to attach the thread of self-consciousness to a prior moment, where the thread already had to be attached. The reason for the impossibility of explaining self-consciousness must be canceled. But it can be canceled only if it is assumed that *the subject's efficacy* is synthetically unified with the *object* in one and the same moment, that the subject's efficacy is itself the object that is perceived and comprehended, and that the object is nothing other than the subject's efficacy (and thus that the two are the same). Only with such a synthesis can we avoid being driven to a preceding one; this synthesis alone contains within itself everything that conditions self-consciousness and provides a point at which the thread of self-consciousness can be attached. It is only under this condition that self-consciousness is possible. Therefore, as surely as self-consciousness occurs, so must we accept the synthesis that has just been hypothesized. Thus the strict synthetic proof is complete; for the synthesis that we have described has been substantiated as the absolute condition of self-consciousness.

The only remaining questions concern what, then, the hypothesized synthesis might mean, what is to be understood by it, and how what it requires is possible. Thus from now on our task is simply to analyze further what has been demonstrated.

(III) It seems that the synthesis suggested here presents us with a complete contradiction in place of the mere incomprehensibility that it was supposed to eliminate. The synthesis is supposed to yield an object; but the nature of an object is such that, when it is comprehended by a subject, the subject's free activity is posited as constrained. But this object is supposed to be the subject's own efficacy; however, the nature of the subject's efficacy is to be absolutely free and self-determining. Both are supposed to be unified here; the natures of both object and subject are supposed to be preserved without either being lost. How might this be possible?

Both are completely unified if we think [33] of the subject's being-determined as *its being-determined to be self-determining*, i.e. as a summons [*eine Aufforderung*] to the subject, calling upon it to resolve to exercise its efficacy.

Since what is required here is an object, it must be given in sensation, and in *outer*, not inner, sensation: for all inner sensation arises only through the reproduction of outer sensation; the former therefore presupposes the latter; thus if one were to assume that the object is given in inner sensation, then, once again, one would be presupposing self-consciousness as actual; but it is the possibility of self-consciousness that is supposed to be explained. – But the object is not comprehended, and cannot be other than as a bare summons calling upon the subject to act. Thus as surely as the subject comprehends the object, so too does it possess the concept of its own freedom and self-activity, and indeed as a concept given to it from the outside. It acquires the concept of its own free efficacy, not as something that *exists* in the present moment (for that would be a genuine contradiction), but rather as something that *ought* to exist in the future.

(The question before us was: how can the subject find itself as an object? In order to find *itself*, it would have to find itself as only self-active; otherwise, it would not find *itself*; and, since it does not find anything at all unless it *exists*, and does not exist unless it finds itself, it follows that it would not find anything at all. In order to find itself as an *object* (of its reflection), it would have to find itself, not as *determining* itself to be self-active – the question here is not how the issue might be in itself from the transcendental point of view, but only how it must appear to the subject under investigation – , but rather as determined to be self-active by means of an external check [*Anstoß*],[3] which must nevertheless leave the subject in full possession of its freedom to be self-determining: for otherwise, the first point would be lost, and the subject would not find itself as an I.

In order to make this last point clearer, I shall anticipate a few points that will come up again later. The subject cannot find itself necessitated to do anything, not even to act in general; for then it would not be free,

[3] *Anstoß*, usually translated as "check," is the term Fichte uses in the *Wissenschaftslehre*'s account of how an absolute, entirely active subject can represent an objective, external world. According to this view, the content of sensation is not the result of a thing's affection of a passive subject. Rather, the content of sensation is produced when an infinite activity of the subject is checked, or blocked, by an inert, wholly passive *Anstoß* and then reflected back to the subject. The *Anstoß* is invoked in order to explain why the intuiting subject normally takes what is really its own activity to be affection by an external, independent thing (Fichte, *Science of Knowledge*, pp. 189–93, 203–6, 220–2). In the present context *Anstoß* might be better rendered as "impetus," since it refers to an activity that impinges on the I from without (from another subject) and hence is not merely an inert "check" on the first subject's own activity.

nor an I. Even less can it, if it is to resolve to act, find itself necessitated to act in this or that particular way; for then, once again, it would not be free nor an I. [34] How and in what sense, then, must the subject be determined to exercise its efficacy, if it is to find itself as an object? Only insofar as it finds itself as something that *could* exercise its efficacy, as something that is summoned to exercise its efficacy but that can just as well refrain from doing so.)

(IV) The rational being is to realize its free efficacy; this demand [*Anforderung*] upon it belongs to the very concept of a rational being, and just as certainly as the rational being grasps this concept, so too does it realize its free efficacy, and in one of two ways:

either by *actually acting*: What is demanded is only activity in general; but it is explicitly contained in the concept of such activity that, within the sphere of possible actions, the subject is to choose *one* action through free self-determination. The subject can act only in *one* way; it can determine its faculty of sensation (which in this case is its faculty of exercising efficacy in the sensible realm) in only *one* way. Just as certainly as it acts, so too does it choose this one way by means of absolute self-determination, and to that extent it is absolutely free; it is a rational being and also posits itself as such:

or by *not acting*: Even then it is free; for, in accordance with our presupposition, it is supposed to have grasped the concept of its efficacy as something demanded of it and apparent to it. By now proceeding contrary to the demand it is aware of and refraining from acting, it likewise chooses freely between acting and not acting.

The concept that has been established is that of *free reciprocal efficacy* in its most precise sense; and nothing other than this. To any free effect I can attach the thought of a free, *contingent* counter-effect; but that is not the required concept in its proper precision. If the concept is to be determined with precision, then *effect* cannot at all be distinguished in thought *from counter-effect*. Both must constitute the *partes integrantes* of an undivided event. Such a thing is now being postulated as a necessary condition of a [35] rational being's self-consciousness. Such a thing must occur, as our proof has shown.

The thread of consciousness can be attached only to something like this, and then this thread might well extend without difficulty to other objects as well.

Our presentation has succeeded in attaching this thread. Our proof

has shown that under this condition the subject can and must posit itself as a freely efficacious being. If the subject posits itself as such a being, then it can and must posit a sensible world; and it can and must posit itself in opposition to this sensible world. – And now that the main task is resolved, all the activities of the human mind can proceed without further ado, in accordance with the mind's own laws.

(V) Up until now, our analysis of the synthesis that we established has been merely *expository*; our task was only to clarify what we comprehended in the mere concept of the synthesis. The analysis will proceed even further: but from now on, it will be one that *draws inferences*; that is, the subject – in consequence of the posited influence upon itself – may have to posit several other things as well: how does this happen, or what does it posit – in accordance with the laws of its own being – in consequence of its first positing?

The influence upon the subject, as we have described it, was a necessary condition of all self-consciousness; it occurs just as certainly as self-consciousness occurs, and so it is a necessary fact. If, in accordance with the necessary laws of rational beings, several other things must simultaneously be posited together with such laws, then the positing of them is also a necessary fact, like the first.

Insofar as the influence upon the subject, as we have described it, is *something that is sensed*, it is a limitation of the I, and the subject must have posited it as such; but there is no limitation without something that does the limiting. Thus the subject, insofar as it has posited this influence upon itself, must have simultaneously posited something *outside itself* as the determining ground of this influence; this external something is the something that is sensed, and this much is understood without difficulty.

But this influence is a *determinate* influence, and by positing it as determinate, [**36**] one posits not merely a ground for it in general, but rather a *determinate* ground. What kind of ground must this be, what characteristics must belong to it, if it is to be the ground of this determinate influence? This question will occupy us a bit longer.

The influence upon the subject was understood as a summons to the subject to exercise its free efficacy, and – everything depends on this – it could not be understood any other way; indeed it would not be understood at all, if it were not understood *in just this way*.

The content of this influence upon the subject is the summons, and

its ultimate end is [to bring about] the free efficacy of the rational being to whom the summons is addressed. The rational being's activity is by no means to be determined and necessitated by the summons in the way that – under the concept of causality – an effect is determined and necessitated by its cause; rather, the rational being is to determine itself in consequence of the summons. But if the rational being is to do this, it must first understand and comprehend the summons, and so it is dependent on some prior cognition of the summons. Thus the external being that is posited as the cause of the summons must at the very least presuppose the possibility that the subject is capable of understanding and comprehending; otherwise its summons to the subject would have no purpose at all. The purposiveness of the summons is conditional on the understanding and freedom of the being to whom it is addressed. Therefore, the cause of the summons must itself necessarily possess the concept of reason and freedom; thus it must itself be a being capable of having concepts; it must be an intelligence, and – since this is not possible without freedom, as has just been shown – it must also be a free, and thus a rational, being, and must be posited as such.

This inference is established here as necessary, as originally grounded in the nature of reason, and as one that takes place with certainty independently of any scientific help from us; beyond this, we might add a few further words for the sake of clarification.

The following question has been raised, and with good reason: which effects can be explained only by reference to a rational cause? The [37] answer, "those that must necessarily be preceded by some concept of them," is true but not sufficient, for there always remains the higher, somewhat more difficult question: which, then, are those effects about which one must judge that they were possible only in accordance with a previously constructed concept? Every effect, once it exists, can very well be comprehended, and the manifold within it fits itself into a conceptual unity more gracefully and felicitously, the more intelligence the observer himself has. Now this is a unity that the observer himself has brought into the manifold, by means of what *Kant* calls reflective judgment;[4] and reflective judgment must necessarily bring such a unity

[4] Fichte's discussion of how effects in the empirical world can be recognized as having a rational cause (through a concept) relies heavily on Kant's treatment of reflective judgment in the *Critique of Judgment* (1790). Determinative judgment starts from a given rule or principle and subsumes particulars under it (recognizes them as things to which the general rule applies). Reflective judgment, in contrast, starts with particulars and discovers the rule (or concept) that unifies

into the manifold, if there is to be *an* effect for the observer at all. But who can guarantee to the observer that, just as he now orders the *actual* manifold under his concept, so too, prior to the effect, the *concepts* of the manifold he perceives were themselves ordered, by another intelligence, under the concept of the unity that the observer now conceives; and what could justify the observer in drawing such an inference? Thus it must be possible to point to a higher ground of justification; otherwise, the inference to a rational cause is entirely groundless, and – by the way – if this inference were not correctly drawn in at least some sphere of cognition, then (in accordance with the compulsory laws of reason) it would even be physically impossible to make incorrect use of such an inference, for then the inference could not even be present [as an idea] within the rational being.

There is no doubt that a rational cause, just as certainly as it is one, constructs for itself the concept of a product that is to be realized through its activity. In acting, it directs itself in accordance with this concept and always, as it were, keeps it in view. This is called the concept of an end.

But now a rational being cannot grasp the concept of its efficacy *without having a cognition of the object of this efficacy*. For it cannot determine itself to act – and this obviously means with consciousness of this self-determination, for only through such consciousnesss does it become a free [38] activity – , without positing its activity as constrained. But what it posits when it posits a particular activity as constrained, is an object outside of itself. This is why – by the way – even if one wanted to ascribe intelligence and freedom to nature, it is impossible to ascribe to it the capacity to grasp the concept of an end (and this is precisely why intelligence and freedom must be denied to nature), because there is nothing outside nature upon which it could exercise its efficacy. Everything that can be the effect of such efficacy is itself nature.

Thus a sure criterion for determining that something is the effect of a rational being would be this: the effect can be thought as possible only under the condition that there is some cognition of the object of the

them. Recognizing empirical states of affairs as the effects of reason would involve reflective judgment because the observer must supply a rule that unifies (makes sense of) the manifold to be explained. See Immanuel Kant, *Critique of Judgment*, trans. Werner S. Pluhar (Indianapolis, Hackett Publishing Co., 1987), Introduction: IV.

effect. But there is only one thing whose possibility can be thought only through cognition – rather than through some merely natural force – and that is cognition itself. Thus if the only possible object of an effect – and here that also means its end – were the production of cognition, then one would necessarily have to assume that the effect had a rational cause.

But in this case, the assumption that the production of cognition was intended would have to be necessary. That is, it would have to be impossible to think that the action had any other end, and the action itself would have to be incomprehensible and not actually comprehended at all, unless it were comprehended as one that intended to produce cognition. – It is sometimes said that nature teaches us this or that lesson; but in saying this, one certainly does not mean that the natural event has no purpose other than to teach us; rather, one means that a person can (among other things) learn from nature through observation, if he should want to do so and if he should direct his free observation towards that end.

Now the situation that has just been described is present here [in the case of the summons]. The cause of the influence upon us has no end at all, if it does not have as its end that we should cognize it as such; thus it must be assumed that a rational being is this cause.

What was supposed to be demonstrated has now been demonstrated. [39] In accordance with I–IV above, the rational being cannot posit itself as such, except in response to a summons calling upon it to act freely. But if there is such a summons, then the rational being must necessarily posit a rational being outside itself as the cause of the summons, and thus it must posit a rational being outside itself in general (according to section V).

Corollaries

(1) The human being (like all finite beings in general) becomes a human being only among human beings; and since the human being can be nothing other than a human being and would not exist at all if it were not this – it follows that, *if there are to be human beings at all, there must be more than one*. This is not an opinion that has been adopted arbitrarily, or based on previous experience or on other probable grounds; rather, it is a truth that can be rigorously demonstrated from the concept of the human being. As soon as one fully determines this

concept, one is driven from the thought of an individual human being to the assumption of a second one, in order to be able to explain the first. Thus the concept of the human being is not the concept of an individual – for an individual human being is unthinkable – but rather the concept of a species.

The summons to engage in free self-activity is what we call upbringing [*Erziehung*].[5] All individuals must be brought up to be human beings, otherwise they would not be human beings. In connection with this, the question inevitably arises: if it is supposedly necessary to assume that there was an origin of the entire human race and therefore a first human couple – and this is surely a necessary assumption at a certain point in one's reflection – then who brought up the first human couple? They must have been brought up; for the proof given here is a general one. A human being could not have brought them up, for they are supposed to be the first human beings. Therefore, another rational being (one that was not human) must have brought them up – obviously, only to the point where humans could start bringing up each other. A spirit took them into its care, exactly [40] as is portrayed in an old, venerable document that generally contains the deepest and most sublime wisdom and presents results to which all philosophy must return in the end.[6]

(2) Only free, reciprocal interaction by means of concepts and in accordance with concepts, only the giving and receiving of knowledge, is the distinctive character of humanity, by virtue of which alone each person undeniably confirms himself as a human being.

If there is any human being at all, then there is necessarily a world as well, and certainly a world such as ours, one that contains both non-rational objects and rational beings within it. (This is not the proper place to proceed further and establish the necessity of all the particular objects in nature and their necessary classification, even though this can be established, just like the necessity of a world in general.[d]) Thus the question concerning the ground of the reality of objects is answered.

[d] Whoever cannot understand this should simply have patience and should conclude from his lack of understanding only what it actually implies, namely, that he cannot understand it.

[5] *Erziehung* could also be translated as "rearing" or "education." It normally refers to the process of educating children to become, among other things, autonomous and morally responsible beings.

[6] Gen. 1–2.

The reality of the world – and this obviously means the world for us, i.e. for all finite reason – is a condition of self-consciousness; for we cannot posit ourselves without positing something outside us, to which we must ascribe the same reality we attribute to ourselves. It is contradictory to ask about a reality that supposedly remains after one has abstracted from all reason; for the questioner himself (we may presume) has reason, is driven by reason to question, and wants a rational answer; he, therefore, has not abstracted from reason. We cannot go outside the sphere of our reason; the case against the thing in itself [*die Sache selbst*] has already been made, and philosophy aims only to inform us of it and keep us from believing that we have gone beyond the sphere of our reason, when in fact we are obviously still caught within it.

[41] §4 Third theorem

The finite rational being cannot assume the existence of other finite rational beings outside it without positing itself as standing with those beings in a particular relation, called a relation of right [Rechtsverhältniß]

Proof

(I) *The subject must distinguish itself, through opposition, from the rational being that (as a consequence of the preceding proof) it has assumed to exist outside itself.* The subject has now posited itself as containing within itself the ultimate ground of something that exists *within it* (this was the condition of I-hood, of rationality in general); but it has likewise posited a being outside itself as the ultimate ground of this something that exists within it.

The subject is supposed to be able to distinguish itself from this being. In accordance with our presupposition, this is possible only under the condition that the subject can distinguish between how much the ground of the given something lies *within it*, and how much that ground lies *outside it*. With regard to form, i.e. with regard to the fact that there is activity at all, the ground of the subject's efficacy lies simultaneously *within itself* and in the being *outside itself*. If the external being had not exercised its efficacy and thus had not summoned the subject to exercise its efficacy, then the subject itself would not have exercised its efficacy. The subject's activity as such is conditioned by the

activity of the being outside it. It is also conditioned with regard to its content; a particular sphere is allotted to the subject as the sphere of its possible activity.

But within the sphere allotted to it, the subject has freely chosen; it has absolutely given to itself the nearest limiting determination of its own activity; and the ground of this latter determination of the subject's efficacy lies entirely *within the subject alone.* Only in this way can the subject posit itself as an absolutely free being, as the sole [42] ground of something; only in this way can it separate itself completely from the free being outside it and ascribe its efficacy to itself alone.

Within this sphere, that is, from the outer limit of the product of the being outside it, X, to the outer limit of its own product, Y, the subject has chosen from among the possibilities contained in the sphere: the subject constitutes its own freedom and independence out of these possibilities and by comprehending them as the sum of the possibilities that it could have chosen.

Within the sphere just described, a choice had to be made if the product, Y, was to become possible as something individuated among all the possible effects given by this sphere.

But within this sphere, only the subject could have chosen, and *not the other*; for, according to our presupposition, the other being has left this sphere undetermined.

That which alone made a choice within this sphere is *the subject's* I, the individual, the rational being that becomes determinate through opposition to another rational being; and this individual is characterized by a determinate expression of freedom belonging exclusively to it.

(II) *In this process of distinguishing through opposition, the subject acts in such a way that the concept of itself as a free being and the concept of the rational being outside it (as a free being like itself) are mutually determined and conditioned.*

There can be no opposition, unless in the same undivided moment of reflection the sides that are opposed are also posited as equal, related to each other, and compared with one another. This is a formal theoretical proposition, which has been rigorously proved in the appropriate place,[7] but which, I hope, might be plausible to healthy common sense, even without proof. We shall apply this proposition here.

[7] Presumably Fichte is referring to §§2–3 of his 1794 *Wissenschaftslehre* (*The Science of Knowledge*).

The subject determines itself as an individual, and as a free individual, by means of the sphere within which it has chosen one from among all the possible actions given within that sphere; and it posits, in opposition to itself, another individual outside of itself that is determined by means of another sphere within which it has chosen. [43] Thus the subject posits both spheres at the same time, and only through such positing is the required opposition possible.

The being outside the subject is posited as free, and thus as a being that could also have overstepped the sphere that presently determines it, and could have overstepped it such that the subject would be deprived of its ability to act freely. But the being outside the subject did not freely overstep this sphere; therefore, it materially limited its freedom through itself; that is, it limited the sphere of those actions that were possible for it by virtue of its formal freedom. All this is necessarily posited in the subject's act of opposing itself to another rational being – as is everything else we shall yet establish (without, for the sake of brevity, repeating the present reminder).

Furthermore, through its action, the being outside the subject has – in accordance with our presupposition – summoned the latter to act freely; thus it has limited its freedom through a concept of an end in which the subject's freedom is presupposed (even if only problematically); thus it has limited its freedom through the concept of the subject's (formal) freedom.

Now the subject's cognition of the other being as rational and free is conditioned first by the other being's self-limitation. For – in accordance with our proof – the subject has posited a free being outside itself only in consequence of the other being's summons to the subject to engage in free activity, and thus only in consequence of the other being's self-limitation. But this being's self-limitation was conditioned by its own (at least problematic) cognition of the subject as a possibly free being. Thus the subject's concept of the other being as free is conditioned by the same concept this being has of the subject and by this being's action, which is determined by its concept of the subject.

Conversely, the actualization of the other being's categorical knowledge of the subject as free is conditioned by the subject's own knowledge and by its acting in accordance with such knowledge. If the subject had no knowledge of a free being outside itself, then something [44] that ought to have occurred, in accordance with the laws of reason, would

not have occurred, and the subject would not be rational. Or if such knowledge did indeed arise in the subject, but the subject did not limit its freedom as a result of this knowledge so as to allow the other the possibility of acting freely as well, then the other could not infer that the subject was a rational being, since such an inference becomes necessary only by virtue of the subject's self-limitation.

Thus the relation of free beings to one another is necessarily determined in the following way, and is posited as thus determined: one individual's knowledge of the other is conditioned by the fact that the other treats the first as a free being (i.e. limits its freedom through the concept of the freedom of the first). But this manner of treatment is conditioned by the first's treatment of the other; and the first's treatment of the other is conditioned by the other's treatment and knowledge of the first, and so on *ad infinitum*. Thus the relation of free beings to one another is a relation of reciprocal interaction through intelligence and freedom. One cannot recognize the other if both do not mutually recognize each other; and one cannot treat the other as a free being, if both do not mutually treat each other as free.

The concept established here is extremely important for our project, for our entire theory of right rests upon it. Thus we shall attempt to make it clearer and more accessible by means of the following syllogism.

(I) *I can expect a particular rational being to recognize me as a rational being, only if I myself treat him as one.*

(1) The conditioned in the proposition established here is:

(a) *not* that the rational being in itself, apart from me and my consciousness, recognizes me within his own conscience (such belongs to the sphere of morality) or in the presence of others (such is a matter for the state); but *rather* that he recognizes me as a rational being in conformity with *his and my* consciousness, synthetically united in one (i.e. in conformity with a consciousness common to both of us) such that – just as surely as he wants to be regarded as a rational being [45] – I can compel him to acknowledge that he knows that I am one as well.

(b) *not* that I can actually prove that I have been recognized by rational beings in general as their equal; but *rather* that this particular individual, C, has recognized me as such.

(2) The *condition* is:

(a) *not* that I merely grasp the concept of C as a rational being, but *rather* that I actually *act* in the sensible world. A concept in the

innermost regions of my consciousness remains accessible only *to me*, and not to anyone outside me. Something is given to the individual C only by experience, and I give rise to such experience only by acting. The other cannot know what I think.

(b) *not* that I merely refrain from acting contrary to the concept of C as a rational being, but *rather* that I actually act in conformity with it, that I actually enter into reciprocal interaction with C. Otherwise, we remain separate and are absolutely nothing for each other.

(3) *The ground of the connection.*

(a) Unless I exercise some influence upon him, I cannot know or demonstrate to him that he possesses any representation of me at all, of my mere existence. Even assuming that I appear as an object in the sensible world and lie within the sphere of those experiences possible for him, there always remains the question, "has he reflected upon me?", and only he himself can answer that question.

(b) Unless I act upon him in conformity with the concept of him as a rational being, I cannot demonstrate to him that he – just as surely as he himself possesses reason – must necessarily have regarded me as a rational being. For every expression of force can originate from a natural power operating in accordance with mechanical laws; only the moderation of force by means of concepts is the unmistakable and exclusive criterion of reason and freedom.

(II) *But in every possible case, I must expect that all rational beings outside me recognize me as a rational being.*

[46] The necessity of this universal, ongoing expectation must be shown to be the condition of the possibility of self-consciousness. But there is no self-consciousness without consciousness of individuality, as has been proved. Now all that remains to be proved is that no consciousness of individuality is possible without this expectation, that the latter follows necessarily from the former. What is supposed to be proved would then be proved.

(A) (1) I posit myself as an individual in opposition to C only by ascribing exclusively to myself a sphere for my free choice that I deny to him, in accordance with the concept of individuality in general.

(2) I posit myself as a rational and free being in opposition to C only by ascribing reason and freedom also to him; and thus only by assuming that he has likewise chosen freely in a sphere distinct from my own.

(3) But I assume all of this only as a consequence of the fact that – in

accordance with my own assumption – he has, in *his* choice, in the sphere of his freedom, taken my free choice into consideration, has purposively and intentionally left a sphere open for me; this is in accordance with the preceding proof. (It is only as a consequence of my having posited him as treating me as a rational being that I posit him as a rational being at all. My entire judgment concerning him proceeds from me and from my treatment of him, as must be the case in a system that has the I as its foundation. I infer his rationality in general only on the basis of this *particular* expression of his reason and on it alone.)

(4) But the individual C cannot have acted upon me in the described manner without, at least problematically, having recognized me; and I cannot posit him as acting upon me in this way without positing that he recognizes me, at least problematically.

(5) Everything that is problematic becomes categorical when the condition is supplied. What is problematic, is in part categorical *qua* [47] proposition. This observation is important, but still frequently overlooked; the connection between the two propositions is asserted categorically; if the condition is given, then it is necessary to assume the conditioned. The condition was that I recognize the other as a rational being (and do so in a manner that is valid for both *him* and *me*), i.e. that I should *treat* him as a rational being – *for only in action does there exist such a recognition valid for both.* Now *I must* necessarily treat him thus, just as *certainly* as *I* posit *myself* as a rational individual in opposition to him – this is true, of course, only to the extent that I proceed rationally, i.e. with theoretical consistency.

Now just as certainly as I recognize him, i.e. treat him in the way described, so too is he with equal certainty *bound* or *obliged* by virtue of his initially problematic expression – he is required by virtue of theoretical consistency – to recognize me *categorically*, and indeed to do so *in a way that is valid for both of us*, i.e. he is required to treat me as a free being.

What takes place here is a unifying of opposites into one. Under the present presupposition, the point of union lies in *me*, in *my consciousness*: and the unity is conditioned by my capacity for consciousness. – For his part, he fulfills the condition under which I recognize him; and he in turn prescribes this condition to me. From my side, I fulfill the condition – I actually recognize him and thereby oblige *him*, as a consequence of the condition that he himself has set up, to recognize me

categorically: and I oblige *myself*, as a consequence of my recognition of him, to treat him likewise.

Corollary

As has been demonstrated, the concept of individuality is a *reciprocal concept*, i.e. a concept that can be thought only in relation to another thought, and one that (with respect to its form) is conditioned by another – indeed by an *identical* – thought. This concept can exist in a rational being only if it is posited as *completed* by another rational being. Thus this concept is never *mine*; rather, it is – in accordance with my own admission and the admission of the other – *mine and his*, [48] *his and mine*; it is a shared concept within which two consciousnesses are unified into one.

Each of my concepts determines the one that follows it in my consciousness. The concept of individuality determines a *community*, and whatever follows further from this depends not on me alone, but also on the one who has – by virtue of this concept – entered into community with me. Now this concept is necessary, and this necessity compels both of us to abide by the concept and its necessary implications: we are both *bound* and *obligated* to each other by our very existence. There must be a law that is common to us both and commonly recognized as necessary, a law by virtue of which we mutually abide by the ensuing implications; and this law must exhibit the same character by virtue of which we entered into that very community. But this is the character of rationality; and the law of reason that governs all further implications is called agreement with oneself, or *consistency*, and is scientifically presented in general *logic*.

This whole unification of concepts described here was possible only in and through actions. Thus any ongoing consistency exists only in actions as well: this consistency can be required and is only required for actions. It is actions that matter here, rather than concepts; we are not concerned with concepts in themselves, apart from actions, because it is impossible to talk about them as such.

(B) In each relation into which I enter with the individual C, I must refer to the recognition that has occurred and must judge him in accordance with it.

(1) It is presupposed that I enter into several relations, points of contact, instances of reciprocal treatment, with *him*, with one and the

same individual C. I must therefore be able to attribute the given effects *to him*, i.e. to connect the given effects with those that I have already judged to be his.

(2) But insofar as he is posited, he is posited both as a particular sensible being and as a rational being at the same time; both [49] characteristics are synthetically united in him. The former is posited in consequence of the sensible properties of his influence upon me; the latter, solely in consequence of his having recognized me. Only in the union of both properties is he posited by me at all, only thus does he become an object of knowledge *for me*. Thus I can attribute an action to *him* only insofar as it is connected, in part with the sensible properties of his previous actions, and, in part, with his recognition of me; I can attribute an action to him only insofar as the action is *determined* by both.

(3) Assuming that his action is indeed determined by the sensible predicates of his prior actions – and this is necessary in consequence of nature's own natural mechanism – but not determined by his having recognized me as a free being, i.e. assuming that, by means of his action, he robs me of the freedom that belongs to me and thus treats me as an object; in that case, I am still forced to attribute the action *to him*, to the same sensible being C. (For example, the voice is the same, the gait is the same, and so forth.) Now by virtue of the act of recognition (and perhaps by virtue of a series of actions determined by such recognition), the concept of this sensible being C has been united in my consciousness with the concept of rationality, and I cannot separate what I have once united. But those concepts are posited as necessarily and essentially united; I have posited sensibility and reason in unity as the essence of C. Now, in his action X, I must necessarily separate these concepts, and thus I can continue to ascribe rationality to him only as something *contingent*. My treatment of him as a rational being now also becomes *contingent* and conditioned, and occurs only if he himself treats me as such. Thus in *this case*, I am able, with perfect consistency (which is my only law here), to treat him as a merely sensible being, until both *sensibility and rationality* are once again united in the concept of his action.

My claim in such a case would be this: his action, X, contradicts his own presupposition, namely, that I am a rational being: he [50] has acted inconsistently. By contrast, I have, prior to his action, X, abided by the

rules; and I likewise abide by the rules if, in consequence of his inconsistency, I treat him as a merely sensible being. With this, I place myself at a standpoint that is higher than that of either one of us; I transcend my individuality, appeal to a *law* that is valid for us both, and apply that law to the present case. I thus posit myself as *judge*, i.e. as his superior. Hence the superiority that everyone ascribes to himself when claiming to be in the right vis-à-vis the one against whom he has the right. – But, insofar as I appeal to that common law in my opposition to him, I invite him to be a judge along with me; and I demand that in this case he must find my action against him consistent and must approve of it, compelled by the laws of thought. The community of consciousness continues to exist. I judge him by reference to a concept that he himself – according to my claim – must possess. (Hence the *positive element* in the concept of right, whereby we believe that we impose on the other an obligation not to resist our way of treating him, but even to approve of it. The source of this obligation is certainly not the moral law: rather, it is the law of thought; and what emerges here is the syllogism's practical validity.)

(C) *What holds between me and C also holds between me and every rational individual with whom I enter into reciprocal interaction.*

(1) Any other rational being can be present to me only in the very same manner and under the same conditions that C was present to me; for only under these conditions is the positing of a rational being outside me possible.

(2) The new individual, D, is other than C insofar as his free action – so far as its sensible predicates are concerned (for with respect to the consequences that follow from their necessary recognition of me, all actions of free beings are necessarily identical to one another) – cannot be connected with the [51] sensible predicates of the actions of other individuals posited by me. In order to know the identity of an acting individual, I had to be able to connect the distinguishing characteristics of his present actions with his previous actions. Where this does not occur, I cannot attribute the present action to any rational being already known to me; but since I still must posit some rational being, I posit a new one.

(Perhaps it will not be redundant to summarize under a single perspective the point of the proof just undertaken, a point that has been dissipated in a multitude of different parts. – The proposition to be

proved was: just as certainly as I posit myself as an individual, so too must I with equal certainty expect all rational beings known to me, in all cases of mutual interaction, to recognize me as a rational being. Thus a certain act of self-positing is supposed to contain a postulate addressed to others, indeed a postulate extending to every case where it can be applied; this postulate can be discovered by mere analysis of this certain act of self-positing.

I posit myself as an individual in opposition to another particular individual, insofar as *I* ascribe *to myself* a sphere for my freedom from which I exclude the other, and ascribe a sphere *to the other* from which I exclude myself – obviously, this occurs merely in the thinking of a fact and in consequence of this fact. Thus I have posited myself as *free* alongside him and without harming the possibility of his freedom. Through this positing of my freedom, I have *determined* myself; being free constitutes my essential character. But what does *being free* mean? Evidently, it means being able to carry out the concepts of one's actions. But this carrying out always *follows* the concept, and the perception of what one takes to be the product of one's efficacy is always – relative to the formation of the concept of such a product – *in the future*. Thus freedom is always posited into the future; and if freedom is supposed to constitute a being's character, then it is posited for *all* of the individual's future; freedom is [52] posited in the future to the extent that the *individual himself* is posited in the future.

But now my freedom is possible only through the fact that the other remains within his sphere; therefore, just as I demand my freedom for all the future, so too I also demand that the other be limited, and – since he is to be free – limited by himself for all the future: and I demand all this immediately, insofar as I posit myself as an individual.

This demand upon the other is contained in the act of positing myself as an individual.

But the other can limit himself only in consequence of a concept of me as a free being. Nevertheless, I demand this limitation absolutely; thus, I demand *consistency* from him, i.e. I demand that all of his future concepts be determined by a certain prior concept, by the knowledge of me as a rational being.

Now he can recognize me as a rational being only under the condition that I treat him as one, in accordance with my concept of him as a rational being. Thus, I impose the same consistency upon myself, and

his action is conditioned by mine. We stand in reciprocal interaction with regard to the consistency of our thinking and our acting: our thinking is consistent with our acting, and my thinking and acting are consistent with his.)

(III) The conclusion to all of this has already emerged. – *I must in all cases recognize the free being outside me as a free being, i.e. I must limit my freedom through the concept of the possibility of his freedom.*

The relation between free beings that we have deduced (i.e. that each is to limit his freedom through the concept of the possibility of the other's freedom, under the condition that the latter likewise limit his freedom through the freedom of the former) is called the *relation of right*; and the formula that has now been established is the *principle of right*.

This relation is deduced from the concept of the individual. Thus what was to be proved has now been proved.

Furthermore, the concept of the individual was previously proved to be a condition of self-consciousness; thus the concept of right is itself a condition of self-consciousness. Therefore, the [53] concept of right has been properly deduced *a priori*, i.e. from the pure form of reason, from the I.

Corollaries

(1) Therefore, in consequence of the deduction just carried out, it can be claimed that the concept of right is contained within the essence of reason, and that no finite rational being is possible if this concept is not present within it – and present not through experience, instruction, arbitrary human conventions, etc., but rather in consequence of the being's rational nature. It is, of course, self-evident that the *expression* of this concept in actual consciousness is conditioned by the givenness of some particular instance where the concept applies; it is equally self-evident that this concept does not originally lie in the soul, like some empty form, and wait for experience to put content into it (as some philosophers seem to conceive of *a priori* concepts). But it has also been proved that there must necessarily be some instance where the concept actually applies, because no human being can exist in isolation.

Therefore, it has been shown that a certain concept (i.e. a certain modification of thought, a certain way of judging things) is necessary for the rational being as such. Let us provisionally call this concept X. This

X must be operative wherever human beings live together, and it must be expressed and have some designation in their language. It is operative on its own, without any help from the philosopher, who deduces this X only with difficulty. Now whether this X is exactly the same as what ordinary usage refers to as *right* is a question that common sense must decide (that is, common sense as it is left to itself, not common sense that has been numbed and confused by the arbitrary explanations and interpretations of philosophers). Provisionally, let us declare – as we have every right to do – that the deduced concept, X, whose reality has just been proved by this deduction, is to be called in this investigation *the concept of right*, and not any other possible concept: [54] in calling it thus, we assume responsibility for whether or not we can rely on this concept to answer all the questions common sense can raise concerning right.

(2) The deduced concept has nothing to do with the moral law; it is deduced without it, and this fact is enough to prove that it cannot be deduced from the moral law, for there cannot be more than one deduction of the same concept. Furthermore, all attempts at such a deduction have failed completely. The concept of *duty*, which arises from the moral law, is directly opposed to the concept of right in most of its characteristics. The moral law commands duty categorically: the law of right only permits, but never commands, that one exercise one's right. Indeed, the moral law very often forbids a person to exercise his right, and yet – as all the world acknowledges – that right does not thereby cease to be a right. In such a case one judges that the person may well have had a right to something but that he ought not to have exercised it in this situation. In that case, then, is the moral law (which is one and the same principle) at odds with itself, simultaneously granting and denying the same right in the same situation? I know of no reasoning that might offer anything plausible in response to this objection.

The question of whether the moral law might provide a new sanction for the concept of right is not part of the doctrine of natural right, but belongs instead to an account of real morality and will be answered within such an account at the appropriate time. In the domain of natural right, the good will has no role to play. Right must be enforceable, even if there is not a single human being with a good will; the very aim of the science of right is to sketch out just such an order of things. In this domain, physical force – and it alone – gives right its sanction.

Thus, separating natural right from morality does not require any artificial measures, which always fail to achieve their goal anyway. For if one has begun with nothing but morality – actually, not even morality, but only the metaphysics of morals – then, in the wake of any artificial separation, one will never [55] find anything in one's investigations besides morality. Both sciences are already – originally and without any help from us – separated by reason itself, and they are completely opposed to one another.

(3) The concept of right is the concept of a relation between rational beings. Thus, it arises only under the condition that rational beings are thought in relation to one another. It is nonsense to talk about a right to nature, to land, to animals, etc., considered only on their own or in direct relation to a human being. Reason only has power – and by no means a right over – these things, for in this relation the question of right does not arise at all. The fact that one can have scruples about enjoying this or that thing is quite another matter; but this is an issue for the tribunal of morality, and it does not arise out of concern that the things – but rather that our own spiritual condition – might be harmed by such enjoyment; we debate with ourselves, not with the things, and we take ourselves, not the things, to task. Only if another person is related to the same thing at the same time that I am does there arise the question of *a right to the thing*, which is an abbreviated way of talking about – and this is what it should really be called – *a right in relation to the other person*, i.e. a right to exclude him from using the thing.

(4) Rational beings enter into reciprocal interaction with one another only through actions, expressions of their freedom, in the sensible world: thus the concept of right concerns only what is expressed in the sensible world: whatever has no causality in the sensible world – but remains inside the mind instead – belongs before another tribunal, the tribunal of morality. Thus it is nonsense to speak of a right to the freedom of thought, freedom of conscience, and so forth. There is a faculty that performs these inner actions, and there are duties, but no rights, with respect to them.

(5) The question of right between rational beings is possible only if the rational beings actually have some relation to one another, and can thus act such that the action of one has consequences for the other; [56] this follows from the preceding deduction, which always presupposes a real reciprocal interaction. There is no relation of right between those

who do not know each other or those whose spheres of efficacy are completely separate from one another. One completely misunderstands the concept of right if, for example, one talks about the rights of the dead vis-à-vis the living. One can very well have duties of conscience concerning the memory of the dead, but not obligations that exist as a matter of right.