

Remark 1. Pagination here follows the German edition (first number on the margins) and our English translation (second number on the margins after the stroke). German page numbers are given in our text in square brackets, with Roman numerals referring to volume numbers (e.g., [IV, 3]).

BEGINNINGS. Fichte begins with immediate data of consciousness to slowly build his ethical view. 'I find myself acting efficaciously in the world of sense': analysis reveals that the source of activity, even when I am affected by external 'stuff', is within me. Consciousness of myself as active is the first datum before any enquiry can even start.

What does it mean to posit myself as active? In the first place, this means to that there should be a distinction between me-active and me-passive, me-knowing and me-being. What is the connection between them? Fichte thinks they are separated, but only within consciousness. Skipping the (torturous) derivation, this means: knowledge and being, concept and object, are distinct only within consciousness, but the same outside it.

Another claim: I am active in a particular way, engaged in a particular activity—or, as Fichte says, in a determinate activity. First, then, 'determinateness' means 'particularity', 'not this, but that'. Then, however, it is spelled out as 'determined', as something encountering resistance. So my consciousness is limited by non-consciousness (Not-I, '*Nicht-Ich*'). This resistance goes according to laws (that is why it is determinate). But what laws? Laws of consciousness. Hence, once again, representations of the external are derived from the condition of my own consciousness.

But what is activity itself? At first Fichte simply says that this notion is already familiar to us. It is like 'agility' or 'mobility' and cannot be shown to anyone who has not experienced it. This of course is hardly satisfactory. Ironically, as you recall, Kant made a similar move when he declared 'good will' to be familiar to us; but that was only at a preliminary stage of enquiry. In any event, Fichte then says that activity can only be ascribed to consciousness, and not to the objective, the non-I. The latter only endures, remains.

Remark 2. The contrast between the activity of consciousness and the passivity of non-consciousness was probably drawn for the first time by Berkeley in terms of the activity of mind and inertness of ideas (where 'ideas' stand for the product of the mind and so for everything else in the universe).

To be active is the basic characteristic of consciousness. So far as it is bound by resistance of non-consciousness, it is freedom. This is the dialectic: we are free in our activity, and we are active only so far as we encounter the resistance of something outside of consciousness.

THE PRIMACY OF PRACTICAL REASON. Freedom can only be thought under laws of freedom. What does this mean? Freedom is not derived from lawhood, nor vice versa. Yet, as we saw, Kant in KpV gave priority to the moral law as a *Faktum* of reason. Fichte explains it thus: the appearance of freedom is an unmediated fact (*Factum*) of consciousness. But one might try explaining it further and so transforming it into an illusion. This *can* be done by theoretical reason. But practical reason is required to block this move: I am not permitted to consider my activity to be an illusion, to be causally determined (as Kant would put it). In this sense my conviction (*Überzeugung*) in the moral law comes first. Thus being is derived from doing, Not-I from I, theoretical from practical, 'is' from 'ought'.

AUTONOMY. The law of practical reason is autonomous, generated by reason itself. This has the following implications. (i) The intellect must legislate for itself in every particular case. It appears that Fichte takes the side of the Third Man in Schiller's parable, but this, I believe, is a premature conclusion. (ii) Nothing in moral decision should come from the outside. No external influence, let alone an incentive, is allowed. (iii) The source of morality, of the ought, results from the reflection of I on its own nature.

Fichte follows up with a passionate, yet to me unclear, description of practical reason. One thing that is clear is that there is no duality of reason. Reason, by its nature, is an activity, a doing. It gives itself laws, and this just means that it is practical. So theoretical reason is not another kind of reason. It is just a particular employment of practical reason.

CONVICTION. Fichte puts a somewhat unexpected gloss on the categorical imperative: act thus only because you are *convinced* that it is your duty. More surprises to follow. In the first place, the moral law demands that I acquire conviction. No conviction, no moral action.

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But now, any individual conviction may clash with other convictions. It is then my duty, Fichte says, to investigate whether this is the case. And yet, even when my convictions are all harmonised, it is possible for me to err. At the end what is left is the conviction about my whole system of convictions. And if all I've got is a conviction, there is always a possibility of error. So in fact, my whole morality depends on luck—that is, on my being convinced that something is indeed the case, i.e. that my action indeed corresponds to duty.

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You might wonder whether this is not a matter of mere confusion. It is not as though there is a duty out there, in the external world, that I am supposed to *conform* to. My duty is self-generated. How can then there be an error? How can what I take to be my duty fail to *correspond* to the 'real' duty? But we are probably in the terrain of Descartes' malicious demon. For even if my conviction is based on a rational procedure, there is still a question to ask whether my reason has malfunctioned. This is so especially because, according to Fichte, I am supposed to deploy my convictions in each and every individual case.

So there must be an 'absolute' criterion for the correctness of my convictions. And this criterion, most surprisingly, turns out to be a feeling (*Gefühl*) of truth and certainty. This feeling originates in 'concern' or 'worry'. Once my doubts have been settled, a feeling of harmony settles in. But would this feeling be different from being smug or complacent? Fichte aims to provide a separate criterion. My conviction must remain even in the face of odds of eternal damnation and unhappiness.

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